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JOURNAL  
OF  
THE CONVENTION  
OF THE PEOPLE OF  
NORTH CAROLINA.

HELD ON

THE 20TH DAY OF MAY. A. D.. 1861.

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RALEIGH :

JNO. W. SYME, PRINTER TO THE CONVENTION.

1862.

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# JOURNAL

OF THE

## STATE CONVENTION.

By virtue of an Act of the General Assembly, ratified on the first day of May, A. D., 1861, the following delegates from the several counties within this State, met in Convention, in the Hall of the House of Commons, in the city of Raleigh, at 11 o'clock, A. M., on the 20th day of May, in the year aforesaid, produced their credentials, and entered upon the discharge of their duties:

From the County of

Alamance.	Thomas Ruffin.
Alexander,	A. C. Stewart.
Ashe,	Joel E. Foster.
Anson,	Albert Myers.
Beaufort,	W. J. Ellison, E. J. Warren.
Bertie,	S. B. Spruill.
Bladen,	Thomas D. McDowell.
Brunswick,	Thomas D. Meares.
Buncombe,	N. W. Woodfin.
Burke,	Jno. C. McDowell.
Cabarrus,	Caleb Phifer.
Caldwell,	Edmund W. Jones.
Camden,	Dennis D. Ferebee.
Carteret,	Charles R. Thomas.
Caswell,	Bedford Brown. John A. Graves.

Catawba,	P. C. Henkel.
Chatham,	J. H. Headen, J. Manning, Jr., L. J. Merritt.
Cherokee,	Allen T. Davidson.
Cleveland,	W. J. T. Miller, J. W. Tracy.
Columbus,	Richard Wooten.
Craven,	George Green, John D. Whitford.
Cumberland,	David McNeill, Warren Winslow.
Currituck,	Henry M. Shaw.
Davidson,	B. C. Douthitt, B. A. Kittrell.
Davie,	Robert Sprouse.
Duplin,	Wm. J. Houston, Joseph T. Rhodes.
Edgecombe,	William S. Battle, George Howard, Jr.
Forsythe,	Rufus L. Patterson, Thomas J. Wilson.
Franklin,	Archibald D. Williams.
Gaston,	Sidney X. Johnston.
Gates,	Alfred J. Watson.
Granville,	T. L. Hargrove, A. W. Venable, S. S. Royster.
Greene,	William A. Darden, Jr.
Guilford,	John A. Gilmer, Robert P. Dick.
Halifax,	Richard H. Smith, Charles J. Gee.
Harnett,	Archibald S. McNeill.
Haywood,	William Hicks.
Henderson,	William M. Shipp.
Hertford,	Kenneth Rayner.
Hyde,	Edward L. Mann.
Iredell,	Anderson Mitchell, Thomas A. Allison.
Johnston,	Claudius B. Sanders, William A. Smith.
Jones,	William Foy.
Lenoir,	John C. Washington.
Lincoln,	William Lander.
Macon,	C. D. Smith.
Madison,	Joseph A. McDowell.
Martin,	Asa Biggs.
McDowell,	James H. Greenlee.
Mecklenburg,	William Johnston, James W. Osborne.
Montgomery,	Samuel H. Christian.
Moore,	Hector Turner.

Nash,	Archibald H. Arrington.
New Hanover,	William S. Ashe, Robert H. Cowan.
Northampton,	David A. Barnes, John M. Moody.
Onslow,	Edward W. Ward.
Orange,	William A. Graham, John Berry.
Pasquotank,	Rufus K. Speed.
Perquimans,	Joseph S. Cannon.
Person,	John W. Cunningham.
Pitt,	Bryan Grimes, F. B. Satterthwaite.
Randolph,	William J. Long, Alfred G. Foster.
Richmond,	Walter F. Leak.
Robeson,	John P. Fuller, John C. Sutherland.
Rockingham.	David S. Reid, Edward T. Brodnax.
Rowan,	Burton Craige, Hamilton C. Jones.
Rutherford.	Jason H. Carson, Micajah Durham.
Sampson,	Thomas Bunting, Robert A. Moseley.
Stanly,	Eben Hearne.
Stokes,	John Hill.
Surry.	T. V. Hamlin.
Tyrrell.	Eli Spruill.
Union,	H. M. Houston.
Wake,	Geo. E. Badger, K. P. Battle, W. W. Holden.
Warren,	Weldon N. Edwards, Francis A. Thornton.
Washington.	William S. Pettigrew.
Watauga,	J. W. Council.
Wayne,	George V. Strong, E. A. Thompson.
Wilkes,	James Calloway, Peter Eller.
Yadkin,	R. F. Armfield.
Yancey,	M. P. Penland.

A quorum being present, Mr. Leak nominated for President, Hon. WELDON N. EDWARDS, of Warren.

Mr. Badger nominated Hon. WM. A. GRAHAM, of Orange.

Messrs. Woodfin, Speed and Venable were requested to act as superintendents of the election.

Those who voted for Mr. Edwards were,

Messrs. Arrington, Ashe, Battle of Edgecombe, Biggs, Brodnax, Brown, Bunting, Carson, Cowan, Craige, Cunningham, Darden, Durham, Foy, Fuller, Gee, Graves, Green, Greenlee, Grimes, Hamlin, Hargrove, Henkel, Hicks, Hill, Houston of Duplin, Houston of Union, Howard, Johnston of Gaston, Johnston of Mecklenburg, Lander, Leak, McDowell of Bladen, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, Meares, Miller, Moody, Moseley, Myers, Osborne, Penland, Phifer, Rayner, Reid, Rhodes, Royster, Ruffin, Shaw, Smith of Halifax, Stewart, Strong, Sutherland, Thompson, Thornton, Tracy, Venable, Ward, Washington, Whitford, Williams, Winslow, Woodfin and Wooten—65.

For Mr. Graham,

Messrs. Allison, Arnfield, Badger, Barnes, Battle of Wake, Berry, Bond, Calloway, Cannon, Christian, Conncill, Davidson, Dick, Douthitt, Eller, Ellison, Ferebee, Foster of Ashe, Foster of Randolph, Gilmer, Hearne, Headen, Holden, Jones of Caldwell, Jones of Rowan, Kittrell, Long, Mann, Manning, McNeill of Harnett, Merritt, Mitchell, Patterson, Pettigrew, Sanders, Satterthwaite, Shipp, Smith of Johnston, Smith of Macon, Speed, Sprouse, Spruill of Bertie, Spruill of Tyrrel, Thomas of Carteret, Turner, Walton, Warren and Wilson—48.

The tellers reported that Hon. Weldon N. Edwards having received a majority of the votes given, was duly elected President; whereupon he was conducted to the Chair by Messrs. Leak and Badger, and returned his thanks to the Convention in an eloquent and patriotic address.

Mr. Badger presented a paper for the consideration of the Convention, the reading of which was postponed for the purpose of completing the organization of the Convention.

For Principal Secretary, Mr. Osborne nominated WALTER L. STEELE, of Richmond County.

Mr. Battle, of Wake, nominated JAMES H. MOORE, of Guilford County.

The President appointed Messrs. Thompson and Winslow to superintend the election.

The who voted for Mr. Steele were,



Mr. President and Messrs. Allison, Arrington, Ashe, Barnes, Battle of Edgecombe, Biggs, Brodnax, Bond, Brown, Bunting, Carson, Christian, Councill, Cowan, Craige, Cunningham, Darden, Durham, Ferebee, Foster of Randolph, Foy, Fuller, Gee, Graves, Green, Greenlee, Grimes, Hamlin, Hargrove, Hearne, Headen, Henkel, Hicks, Hill, Houston of Duplin, Houston of Union, Howard, Johnston of Gaston, Johnston of Mecklenburg, Jones of Caldwell, Jones of Rowan, Lander, Leak, Long, Manning, McDowell of Bladen, McDowell of Burke, McDowell of Madison, McNeill of Harnett, Meares, Merritt, Miller, Mitchell, Moody, Moseley, Myers, Osborne, Patterson, Penland, Pettigrew, Phifer, Rayner, Reid, Rhodes, Royster, Ruffin, Sanders, Satterthwaite, Shaw, Shipp, Smith of Halifax, Smith of Macon, Smith of Johnston, Speed, Spruill of Bertie, Spruill of Tyrrel, Stewart, Strong, Sutherland, Thomas of Carteret, Thompson, Thornton, Tracy, Turner, Venable, Walton, Ward, Warren, Washington, Whitford, Williams, Winslow, Woodfin and Wooten—96.

For Mr. Moore.

Messrs. Armfield, Badger, Battle of Wake, Berry, Calloway, Cannon, Davidson, Dick, Douthitt, Eller, Ellison, Foster of Ashe, Gilmer, Graham, Holden, Kittrell, Mann, Sprouse and Wilson—19.

Mr. Thompson, from the Committee, reported that Walter L. Steele having received a majority of the votes given, was duly elected Principal Secretary of the Convention, in which report the Convention concurred.

For Assistant Secretary, Mr. Barnes nominated LEONIDAS C. EDWARDS, of Granville.

Mr. Miller nominated JUNIUS A. FOX, of Mecklenburg.

Mr. Reid nominated JOSEPH A. ENGELHARD, of Edgecombe.

Mr. Venable nominated SAMUEL A. WILLIAMS, of Granville.

Messrs. Barnes and Miller were appointed a Committee to superintend the election.

Those who voted for Mr. Edwards were,

Messrs. Allison, Armfield, Badger, Barnes, Battle of Wake, Berry, Bond, Brodnax, Brown, Cannon, Carson, Christian,

Cowan, Davidson, Dick, Douthitt, Ellison, Ferebee, Foster of Randolph, Foy, Fuller, Gilmer, Graham, Graves, Greenlee, Hearne, Headen, Holden, Jones of Rowan, Kittrell, Leak, Long, Mann, Manning, McNeill of Cumberland, McNeill of Harnett, Mitchell, Myers, Pettigrew, Phifer, Rhodes, Ruffin, Sanders, Satterthwaite, Shipp, Smith of Macon, Speed, Sprouse, Spruill of Bertie, Spruill of Tyrrell, Sutherland, Thomas of Carteret, Watson, Warren, Washington, Whitford and Wilson—58.

For Mr. Engelhard,

Messrs. Ashe, Battle of Edgecombe, Biggs, Bunting, Callo-way, Councill, Cunningham, Darden, Eller, Foster of Ashe, Grimes, Henkel, Hicks, Houston of Duplin, Howard, Jones of Caldwell, McDowell of Bladen, McDowell of Madison, Merritt, Moseley, Patterson, Penland, Reid, Shaw, Smith of Halifax, Strong, Thompson, Turner, Ward, Winslow, Woodfin and Wooten—33.

For Mr. Fox,

Mr. President and Messrs. Craige, Durham, Houston of Union, Johnston of Gaston, Johnston of Mecklenburg, Lander, McDowell of Burke, Miller, Osborne, Rayner and Tracy—12.

For Mr. Williams,

Messrs. Arrington, Gee, Hargrove, Hamlin, Moody, Royster, Smith of Johnston, Stewart, Thornton, Venable and Williams—11.

Mr. Barnes, from the Committee, reported that L. C. Edwards, having received a majority of the votes given, was duly elected Assistant Secretary, in which report the Convention concurred.

Mr. Biggs offered the following:

*Resolved*, That James Page, of Randolph, be appointed Principal, and Wm. R. Lovell, of Surry, Assistant Doorkeeper of this Convention.

Mr. Meares moved to amend by adding the name of John C. Moore, of Wake, as second Assistant Doorkeeper, which was agreed to, and the resolution, as amended, was adopted.

At the suggestion of Mr. Venable, prayer was offered by Rev. J. W. Tucker, of the M. E. Church South.

The President laid before the Convention the following communication from Hon. Franklin J. Moses, Commissioner from the State of South Carolina :

RALEIGH, N. C., May 20th. 1861.

*To the Honorable, the President and Members*

*of the Convention of the State of North Carolina :*

GENTLEMEN: I have the honor to inform you that I have been appointed by the State of South Carolina, Commissioner to lay before your body the Ordinance whereby the said State seceded from the Federal Union, known as the United States of America, and respectfully to invite your co-operation in the formation of a Southern Confederacy.

With much respect, yours,

FRANKLIN J. MOSES.

## THE STATE OF SOUTH CAROLINA.

At a Convention of the people of the State of South Carolina, begun and holden at Columbia, on the seventeenth day of December, in the year of Our Lord, one thousand eight hundred and sixty, and thence continued by adjournment to Charleston, and there by divers adjournments, to the 20th day of December, in the same year :

AN ORDINANCE TO DISSOLVE THE UNION BETWEEN THE STATE OF SOUTH CAROLINA AND OTHER STATES UNITED WITH HER UNDER THE COMPACT ENTITLED "THE CONSTITUTION OF THE UNITED STATES OF AMERICA."

*"We, the people of the State of South Carolina, in Convention assembled, do declare and ordain, and it is hereby declared and ordained, That the Ordinance adopted by us in Convention on the twenty-third day of May, in the year of Our Lord, one thousand seven hundred and eighty-eight, whereby the Constitution of the United States of America was ratified, and, also, all acts and parts of acts of the General Assembly of this State, ratifying amendments of said Constitution, are*

hereby repealed, and that the Union now subsisting between South Carolina and other States, under the name of "The United States of America," is hereby dissolved.

Done at Charleston on the 20th day of December, in the year of our Lord, one thousand eight hundred and sixty."

[SIGNED,]

D. F. JAMISON,

*Delegate for Barnwell, and President*

*of the Convention, and signed by*

Attest:

*the members of the Convention.*

[SIGNED,]

B. F. ARTHUR, *Clerk of the Convention.*

Messrs. Ruffin and Venable were appointed a Committee to invite the Commissioner into the Convention. Hon. Mr. Moses then appeared, was introduced by the President, and proceeded to the discharge of the mission with which he was intrusted by the State of South Carolina.

Mr. Venable introduced the following resolution, which was agreed to:

*Resolved*, That the Clergy of the city of Raleigh be invited to attend, under such arrangement as they make among themselves, the sessions of this Convention, and open the deliberations of the same with prayer to Almighty God for his guidance and protection.

The paper heretofore presented by Mr. Badger was then read as follows:

#### AN ORDINANCE DECLARING THE SEPARATION OF NORTH CAROLINA FROM THE UNITED STATES OF AMERICA.

WHEREAS, Abraham Lincoln, of Illinois, and Hannibal Hamlin, of Maine, were chosen President and Vice President of the United States by a party in fact and avowedly entirely sectional in its organization, and hostile in its declared principles to the institutions of the Southern States of the Union, and thereupon, certain Southern States did separate themselves from the Union, and form another and independent government, under the name of "The Confederate States of America;" and, *whereas*, the people of North Carolina, though justly

aggrieved by the evident tendency of this election, and of these principles, did, nevertheless, abstain from adopting any such measure of separation, and on the contrary, influenced by an ardent attachment to the Union and Constitution which their fathers had transmitted to them, did remain in the said Union, loyally discharging all their duties under the Constitution, in the hope that what was threatening in public affairs might yield to the united efforts of patriotic men from every part of the nation, and by these efforts such guarantees for the security of our rights might be obtained as should restore confidence, renew alienated ties, and finally re-unite all the States in a common bond of fraternal Union ; meantime, cheerfully and faithfully exerting whatever influence they possessed for the accomplishment of this most desirable end ; and, *whereas*, things being in this condition, and the people of this State indulging this hope, the said Abraham Lincoln, President of the United States, did, on the sixteenth day of April, by his proclamation, call upon the States of the Union to furnish large bodies of troops to enable him, under the false pretense of executing the laws, to march an army into the seceded States with a view to their subjection under an arbitrary and military authority, there being no law of Congress authorizing such calling out of troops, and no constitutional right to use them, if called out, for the purpose intended by him ; and, *whereas*, this call for troops has been answered throughout the northern, northwestern and middle non-slaveholding States with enthusiastic readiness, and it is evident from the tone of the entire press of those States, and the open avowal of their public men, that it is the fixed purpose of the government and people of those States to wage a cruel war against the seceded States, to destroy utterly the fairest portion of this continent, and reduce its inhabitants to absolute subjection and abject slavery ; and, *whereas*, in aid of these detestable plans and wicked measures, the said Lincoln, without any shadow of rightful authority, and in plain violation of the Constitution of the United States, has, by other proclamations, declared the ports of North Carolina, as well as all the other Atlantic and

Gulf States, under blockade; thus seeking to cut off our trade with all parts of the world:

*And, whereas*, since his accession to power, the whole conduct of the said Lincoln has been marked by a succession of false, disingenuous and treacherous acts and declarations, proving incontestibly that he is, at least in his dealings with Southern States and Southern men, void of faith and honor:

*And, whereas*, he is now governing by military rule alone, enlarging by new enlistments of men, both the military and naval force, without any authority of law, having set aside all constitutional and legal restraints, and made all constitutional and legal rights dependent upon his mere pleasure, and that of his military subordinates; and, *whereas*, all his unconstitutional, illegal and oppressive acts, all his wicked and diabolical purposes, and, in his present position of usurper and military dictator, he has been and is encouraged and supported by the great body of the people of the non-slaveholding States:

Therefore, this Convention, now here assembled, in the name and with the sovereign power of the people of North Carolina, doth, for the reasons aforesaid, and others, and in order to preserve the undoubted rights and liberties of the said people, hereby declare all connection of government between this State and the United States of America dissolved and abrogated, and this State to be a free, sovereign and independent State, owing no subordination, obedience, support or other duty to the said United States, their Constitution or authorities, anything in her ratification of said Constitution, or of any amendment or amendments thereto to the contrary notwithstanding; and having full power to levy war, conclude peace, contract alliances, and to do all other acts and things which independent States may of right do: and appealing to the Supreme Governor of the world for the justice of our cause, and beseeching Him for his gracious help and blessing, we will, to the uttermost of our power, and to the last extremity, maintain, defend and uphold this declaration."

Mr. Craige offered the following as a substitute for the foregoing:

“AN ORDINANCE DISSOLVING THE UNION BETWEEN THE STATE OF NORTH CAROLINA AND THE OTHER STATES UNITED WITH HER UNDER THE COMPACT OF GOVERNMENT, ENTITLED, “THE CONSTITUTION OF THE UNITED STATES.”

*We, the people of the State of North Carolina in Convention assembled, do declare and ordain, and it is hereby declared and ordained, That the ordinance adopted by the State of North Carolina in the Convention of 1789, whereby the Constitution of the United States was ratified and adopted; and also all acts and parts of acts of the General Assembly, ratifying and adopting amendments to the said Constitution, are hereby repealed, rescinded and abrogated.*

*We do further declare and ordain, That the Union now subsisting between the State of North Carolina and the other States, under the title of “The United States of America,” is hereby dissolved, and that the State of North Carolina is in full possession and exercise of all those rights of sovereignty which belong and appertain to a free and independent State.*

Mr. Barnes moved that the Convention sit with closed doors, which was not agreed to: Ayes 54, noes 59.

The question now being on the substitute offered by Mr. Craige.

Mr. Ruffin moved that the subject lie on the table with a view to the appointment of a committee to prepare and report an ordinance of separation, which was not concurred in: Ayes 44, noes 49.

The question recurring on the motion of Mr. Craige,

Mr. Ferebee asked that the question be divided, so that the vote should first be taken on striking out. It was so ordered, and the question being put, “Will the Convention agree to strike out?” it was determined in the affirmative, on a call of the yeas and nays, on motion of Mr. Biggs.

Those voting in the affirmative were,

Mr. President and Messrs. Arrington, Ashe, Battle, of Edgecombe, Biggs, Brodnax, Brown, Bunting, Carson, Cowan, Craige, Cunningham, Darden, Durham, Ellison, Foster, of Ashe, Fuller, Gee, Graves, Green, Greenlee, Grimes, Hamlin,

Hargrove, Hearne, Henkel, Hicks, Hill, Houston, of Duplin, Houston, of Union, Howard, Johnston, of Gaston, Johnston, of Mecklenburg, Lander, Leak, McDowell, of Bladen, McDowell, of Burke, McDowell, of Madison, McNeill, of Cumberland, McNeill, of Harnett, Meares, Miller, Moody, Moseley, Myers, Osborne, Patterson, Penland, Phifer, Rayner, Reid, Rhodes, Royster, Ruffin, Shaw, Shipp, Smith, of Halifax, Stewart, Strong, Sutherland, Thompson, Thornton, Tracey, Turner, Venable, Ward, Warren, Washington, Williams, Winslow, Woodfin and Wooten—72.

In the negative,

Messrs. Atkinson, Armfield, Badger, Barnes, Battle, of Wake, Berry, Bond, Calloway, Cannon, Christian, Conncill, Davidson, Dick, Douthitt, Eller, Ferebee, Foster, of Randolph, Gilmer, Graham, Headen, Holden, Jones, of Caldwell, Jones, of Rowan, Kittrell, Long, Mann, Manning, Merritt, Mitchell, Pettigrew, Sanders, Satterthwaite, Smith, of Johnston, Speed, Sprouse, Spruill, of Bertie, Spruill, of Tyrrell, Thomas, Walton and Wilson—40.

So the Convention agreed to strike out.

William H. Thomas, Delegate from Jackson county, presented his credentials and took his seat in the Convention.

The question recurring upon the insertion of the amendment of Mr. Craige,

Mr. Ruffin moved to amend the same so that it should read as follows: "We, the people of the State of North Carolina in Convention assembled, do declare and ordain, that the Union now subsisting between the State of North Carolina and the other States, under the title of "The United States of America," is hereby dissolved, and that the State of North Carolina is in full possession and exercise of all those rights of sovereignty which belong and appertain to a free and independent State."

Upon this question the yeas and nays were ordered, on motion of Mr. Ashe, and resulted as follows:

YEAS—Messrs. Allison, Armfield, Barnes, Battle of Wake, Berry, Bond, Brodnax, Calloway, Cannon, Christian, Davidson,



Dick, Douthit, Eller, Ellison, Ferebee, Foster of Randolph, Gilmer, Graham, Hearne, Headen, Holden, Jones of Caldwell, Jones of Rowan, Kittrell, Long, Mann, Manning, Merritt, Mitchell, Patterson, Pettigrew, Sanders, Satterthwaite, Shipp, Smith of Johnston, Smith of Macon, Speed, Sprouse, Spruill of Bertie, Spruill of Tyrrell, Thomas of Carteret, Walton, Washington, Warren, Whitford and Wilson—49.

NAYS—Mr. President and Messrs. Arrington, Ashe, Battle of Edgecombe, Biggs, Brown, Bunting, Carson, Councill, Cowan, Craige, Cunningham, Darden, Durham, Foster of Ashe, Foy, Fuller, Gee, Graves, Green, Greenlee, Grimes, Hamlin, Hargrove, Hicks, Hill, Houston of Duplin, Houston of Union, Howard, Johnston of Gaston, Johnston of Mecklenburg, Lander, Leak, McDowell of Bladen, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, McNeill of Harnett, Meares, Miller, Moody, Moseley, Myers, Osborne, Penland, Phifer, Rayner, Reid, Rhodes, Royster, Shaw, Smith of Halifax, Stewart, Strong, Sutherland, Thomas of Jackson, Thompson, Thornton, Tracy, Turner, Venable, Ward, Williams, Winslow, Woodfin and Wooten—66.

So the amendment did not prevail.

The amendment of Mr. Craige was adopted, and the question recurring on the passage of the Ordinance, it was unanimously agreed to, as follows:

AYES—Mr. President and Messrs. Allison, Armfield, Arrington, Ashe, Barnes, Battle of Edgecombe, Battle of Wake, Berry, Biggs, Bond, Brodnax, Brown, Bunting, Calloway, Cannon, Carson, Christian, Cowan, Councill, Craige, Cunningham, Darden, Davidson, Dick, Douthitt, Durham, Eller, Ellison, Ferebee, Foster of Ashe, Foster of Randolph, Foy, Fuller, Gee, Gilmer, Graham, Graves, Green, Greenlee, Grimes, Hamlin, Hargrove, Hearne, Headen, Hicks, Holden, Hill, Houston of Duplin, Houston of Union, Howard, Johnston of Gaston, Johnston of Mecklenburg, Jones of Caldwell, Jones of Rowan, Kittrell, Lander, Leak, Long, Mann, Manning, McDowell of Bladen, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, McNeill of Harnett, Meares, Merritt, Miller, Mitchell,

Moody, Moseley, Myers, Osborne, Patterson, Penland, Pettigrew, Phifer, Rayner, Rhodes, Reid, Royster, Ruffin, Sanders. Satterthwaite, Shaw, Shipp, Smith of Halifax, Smith of Johnston, Smith of Macon, Speed, Sprouse, Spruill of Bertie, Spruill of Tyrrell, Sutherland, Stewart, Strong, Thomas of Carteret, Thomas of Jackson, Thompson, Thornton, Tracy, Turner, Venable, Walton, Ward, Warren, Washington, Whitford, Williams, Wilson, Winslow, Woodfin and Wooten—115.

Mr. Rayner moved that the Ordinance be enrolled upon parchment and signed in open session on to-morrow at 12 o'clock, M.

Mr. Barnes moved to amend by the appointment of a Committee of five to prepare the parchment and make arrangements as to the time when the signatures of the members should be affixed; and that the committee give due notice thereof, so that the solemn and important ceremony could be witnessed by the people of the State: and it was agreed to.

The President appointed on the committee Messrs. Barnes, Rayner, Venable, Ruffin and Craige.

Mr. Howard gave notice that the seat of Mr. Gee of Halifax, would be contested by L. W. Batchelor, and he then presented some papers relating to the contest.

Mr. Smith, of Halifax, moved the appointment of a committee on election, which was agreed to, and the President announced that the following delegates constitute said committee: Messrs. Howard, Thornton, Barnes, Battle of Wake, and Biggs.

On motion of Mr. Reid, a committee on Rules was appointed, with instructions to report as early as possible; and Messrs. Reid, Graham, Meares, Gilmer and Biggs were appointed to constitute the same.

Mr. Whitford introduced the following ordinance, which, on his motion, was referred to a select committee of seven:

*Be it ordained*, That the flag of this State shall be a blue field with a white V thereon, and a star, incircling which shall be the words, "*surgit astrum*, May 20th, 1775."

Mr. Meares introduced the following:

AN ORDINANCE TO RATIFY THE CONSTITUTION OF THE PROVISIONAL GOVERNMENT OF THE CONFEDERATES STATES OF AMERICA.

*We, the people of North Carolina in Convention assembled, do declare and ordain, and it is hereby declared and ordained,* That the State of North Carolina, does hereby assent to and ratify the Constitution of the Provisional Government of the Confederate States of America, adopted at Montgomery, in the State of Alabama, on the eighth day of February, A. D., 1861, by the Convention of delegates from the States of South Carolina, Georgia, Florida, Alabama, Mississippi and Louisiana, and that North Carolina will enter into the Federal Association of States upon the terms therein proposed, when admitted by the Congress, or any competent authority of the Confederate States.

Done at Raleigh, on the twentieth day of May, in the year of our Lord, one thousand eight hundred and sixty-one.

Mr. Graham moved that the Convention do now adjourn, which was not agreed to : Ayes 39, noes 64.

Mr. Dick offered the following amendment to the ordinance of Mr. Meares : "And this ordinance to be in full force and effect when ratified by the legal voters of this State, at an election to be held ; the day and manner of holding said election to be fixed and provided for by this Convention."

On this question the ayes and noes were ordered, on motion of Mr. Dick, and resulted as follows :

AYES—Messrs. Allison, Armfield, Berry, Bond, Calloway, Cannon, Councill, Davidson, Dick, Douthitt, Eller, Ellison, Ferebee, Foster of Randolph, Gilmer, Graham, Headen, Jones of Caldwell, Kittrell, Long, Mann, Manning, Merritt, Mitchell, Sanders, Smith of Johnston, Smith of Macon, Speed, Sprouse, Spruill of Bertie, Thomas of Carteret, Warren, Woodfin and Wilson—34.

NOES—Mr. President, and Messrs. Arrington, Ashe, Barnes, Battle of Edgecombe, Biggs, Brodnax, Brown, Bunting, Carson,

Cowan, Craige, Cunningham, Darden, Durham, Foster of Ashe, Foy, Fuller, Gee, Graves, Green, Greenlee, Hamlin, Hargrove, Henkel, Hicks, Hill, Houston of Duplin, Houston of Union, Howard, Johnston of Gaston, Johnston of Mecklenburg, Lander, Leak, McDowell of Bladen, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, McNeill of Harnett, Meares, Miller, Moody, Moseley, Myers, Osborne, Penland, Pettigrew, Rayner, Reid, Rhodes, Royster, Ruffin, Satterthwaite, Shaw, Shipp, Smith of Halifax, Spruill of Tyrrell, Stewart, Strong, Sutherland, Thomas of Jackson, Thompson, Thornton, Tracy, Turner, Venable, Walton, Ward, Washington, Whitford, Winslow and Wooten—72.

So the amendment was not agreed to.

The question then recurring on the passage of the ordinance, as introduced by Mr. Meares, it was agreed to *unanimously*.

Mr. Venable offered the following :

AN ORDINANCE TO RATIFY THE CONSTITUTION OF THE CONFEDERATE STATES OF AMERICA.

*We, the people of North Carolina in Convention assembled, do declare and ordain, and it is hereby declared and ordained,* That the State of North Carolina does hereby assent to and ratify the articles of compact called "The Constitution of the Confederate States of America," adopted at Montgomery, in the State of Alabama, on the eleventh day of March, A. D., 1861, by the Convention of Delegates of Alabama, Florida, Georgia, Louisiana, Mississippi, South Carolina and Texas, and does hereby agree to enter into a Federal association of States upon the terms therein proposed.

Done at Raleigh, on the twentieth day of May, in the year of our Lord, one thousand eight hundred and sixty-one.

And then, at half-past six o'clock, P. M., the ever memorable twentieth day of May, the Convention adjourned until tomorrow morning at 11 o'clock.

## IN CONVENTION, TUESDAY, May 21, 1861.

The Convention met pursuant to adjournment—the President in the Chair.

By request, Rev. Chas. F. Deems, D. D., of M. E. Church, South, opened the session with prayer.

Ralph Gorrell, one of the delegates from Guilford, and Giles Mebane, one of the delegates from Alamance, appeared, produced their credentials and took their seats.

The journal of yesterday was read and approved.

Mr. Mebane asked to have it stated on the journal that if he had been present on yesterday, on the passage of the ordinance of separation, he would have voted in the affirmative; and it was so ordered.

Mr. Reid, from the Committee on Rules, reported the following, being the same as those adopted by the Convention of 1835, with certain amendments:

## RULES FOR THE GOVERNMENT OF THE CONVENTION.

1. [Relates to opening sessions with prayer.]

2. When the President takes the chair, each member shall take his seat, and on the appearance of a quorum, the journal of the preceding day shall be read.

3. When any member is about to speak in debate, or deliver any matter to the Convention, he shall rise from his seat and respectfully address himself to the President, and shall confine himself to the question under debate, and avoid personality. And when two or more members happen to rise at once, the President shall name the one who is first to speak. No member shall speak oftener than twice on the same question, without leave of the Convention. And when any member is speaking, he shall not be interrupted by any person, either by speaking or by standing, or passing between him and the chair.

4. If any member, in speaking or otherwise, transgress the rules of the Convention, the President shall, or any member may call him to order, in which case the member so called to order shall immediately sit down, unless permitted to explain, and the Convention shall, if appealed to, decide on the case, but without

debate. If there be no appeal, the decision of the chair shall be submitted to. If the decision be in favor of the member called to order, he shall be at liberty to proceed; if otherwise, and the case require it, he shall be liable to the censure of the Convention.

5. If any member be called to order for words spoken, the exceptionable words shall immediately be taken down in writing, that the President may be better enabled to judge of the matter.

6. When a question is under debate, no motion shall be received to adjourn, to lie on the table, to postpone indefinitely, to postpone to a day certain, to commit, or to amend; which several motions shall have precedence in the order they stand arranged, and the motion for adjournment shall always be in order.

7. Whenever a question shall be divisible, upon motion, the same shall be divided, and the question shall be put upon the several parts into which it is divided, according to the order in which they arise, unless the decision of the one shall preclude the other.

8. The President shall state the question sitting, but shall put the same standing. Questions shall be distinctly put in this form: As many as are of opinion that (as the case may be) say *aye*; and after the affirmative voice is expressed, as many as are of a contrary opinion say *no*. If the President doubt as to the voice of a majority, or a division of the question be called for, the President shall call on those in the affirmative of the question to rise from their seats; and afterwards those in the negative. If the President still doubt, or a count be required, the President shall name two members, one from each side, to tell the number in the affirmative and negative; which being reported, he shall state the division to the Convention, and announce its decision. No member who is without the bar of the Convention when any question is put from the Chair, shall enter his *aye* or *nay* without leave, unless he shall have been absent on some committee or business of the Convention, by leave of the same.

9. The yeas and nays of the members of the Convention, on any question, shall, at the desire of one-fifth of those present, be taken and entered on the journal of the Convention.

10. When any member shall make a motion which is not one of course, he shall reduce to writing, if required.

11. In all cases, whether by ballot or otherwise, the President shall be entitled to a vote, and when the votes, affirmative and negative, upon any question, shall be equal, the question shall be lost.

12. When a question has been once decided, it shall be in order for any member in the majority to move for a re-consideration thereof, on the same or succeeding day.

13. After a proposition or ordinance has been once rejected or postponed indefinitely, another of like provisions shall not be introduced during the session of this Convention.

14. Every proposition to amend the Constitution of the State, or ordinance proposed, shall be read three several times and passed three several readings; which readings shall be on three several days, before it shall become the act or ordinance of the Convention. The first reading shall be for information only, and the proposition or proposed ordinance shall not then be open to amend or debate; and no question shall be put on that reading, but the same shall, after being read, be declared by the President to have passed its first reading. Upon the second and third readings, the proposition or proposed ordinance shall be open to amendment or debate.

15. The President shall designate who shall compose all committees, except when otherwise ordered; and the committees of this Convention shall consist of five members, unless the Convention shall otherwise determine.

16. When the Convention resolves itself into a Committee of the Whole, the President shall leave the chair and appoint a chairman, and when, at any time, the President shall wish or be disposed to leave the chair, he shall have power to appoint a President *pro tem*.

17. In case of any disturbance or disorderly conduct in the gallery or lobby, the President or chairman of the Committee

of the Whole Convention, shall have power to have the same cleared.

18. No person shall come upon the floor where the Convention holds its sessions, during the session of the same, except ministers of the gospel who have been invited by the Convention; but the galleries are declared open for the accommodation of all persons.

19. Any member dissatisfied with the decision of the President on any question of order, may appeal to the Convention.

20. When the Convention adjourns, the members shall keep their seats until the President leaves the chair.

21. Motions for adjournment and to lie on the table shall be decided without debate.

22. All cases which may arise, not embraced within the foregoing rules, shall be determined according to the parliamentary usages, as laid down by Jefferson in his *MANUAL*.

23. The rules for the government of the Convention shall not be amended or altered, without giving at least one days notice of such amendment or alteration, except by the consent of two-thirds of the members present.

Mr. Lander moved to amend the 14th rule by striking out of the third and fourth lines, the words, "which readings shall be on three several days," and it was not agreed to.

Mr. Ferebee moved the following as an additional rule, which was agreed to:

"It shall be the duty of the President to invite the pastors of the several churches in this city, under such arrangements as they may make among themselves, to perform the service of prayers at the opening of the daily sessions of the Convention."

The question then recurring on the adoption of the Rules, as amended, they were agreed to, and ordered to be printed.

Mr. Leak offered the following resolutions, which were unanimously adopted:

*Resolved*, That this Convention appreciates the spirit which influenced the gallant State of South Carolina in sending a



Commissioner to this Body, and desires to express its gratulation and pride in giving a response by its ordinance, which it full well knows, will be received with a gratification only equalled by the patriotic feeling with which it is expressed.

*Resolved*, That this Body takes pleasure in expressing its high consideration of the distinguished gentleman, the Hon. Franklin J. Moses, honored by his State with this high commission, and begs leave to express its gratification at the energy and ability with which he has executed the trust confided to him.

Mr. Howard, from the Committee on Elections, made a report, accompanied with a resolution declaring L. W. Batchelor entitled to the seat now occupied by Charles J. Gee, as delegate from the county of Halifax.

The President laid before the Convention the following letter from the sitting member :

RALEIGH, N. C., 21st May, 1861.

Hon. WELDON N. EDWARDS,

*President of the Convention :*

SIR: Having been tendered a certificate of election as delegate from the county of Halifax, my convictions of duty were clear that I ought to appear and take a seat as the representative of her people. An investigation having shown that a sufficient number of persons, honestly mistaking their rights of citizenship and suffrage, voted illegally for me, to reduce my vote below that of another gentleman, who is in attendance ready to represent the interest of the people of my county, and being unwilling at any time to take advantage of any form or ceremony, to thwart the will of the people, I cheerfully resign all claim to a seat, as a delegate in this Convention:

Respectfully,

CHARLES J. GEE.

The resolution of the committee was then adopted, and L. W. Batchelor, the contestant, took his seat in the Convention.

Messrs. Badger, Batchelor and Gorrell severally asked and obtained leave to have it recorded on the journal that if they

had been present yesterday they would have voted in favor of the ordinance dissolving the Union then subsisting between the State of North Carolina and the other States.

On motion of Mr. Howard, the Convention then proceeded to the election of a printer to the body; Messrs. Reid and Foy superintending.

Mr. Reid nominated John Spelman.

Mr. Foy nominated Syme & Hall.

Mr. Badger nominated Frank I. Wilson.

Those who voted for Messrs. Syme & Hall were,

Mr. President, and Messrs. Ashe, Battle of Edgecombe, Biggs, Bond, Brodnax, Brown, Bunting, Carson, Christian, Cowan, Cunningham, Eller, Foster of Ashe, Foster of Randolph, Foy, Fuller, Grimes, Hargrove, Hearne, Henkel, Hicks, Houston of Union, Howard, Johnston of Mecklenburg, Jones of Caldwell, Lander, Long, Maun, McDowell of Bladen, Meares, Mebane, Mitchell, Mosely, Osborne, Patterson, Pettigrew, Rhodes, Royster, Ruffin, Satterthwaite, Shaw, Shipp, Smith of Halifax, Smith of Johnston, Stewart, Sutherland, Thornton, Turner, Venable, Walton, Ward, Washington, Williams, Winslow and Wooten—57.

For John Spelman,

Messrs. Arrington, Batchelor, Craige, Darden, Durham, Green, Greenlee, Hamlin, Hill, Houston of Duplin, Johnston of Gaston, Leak, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, Miller, Moody, Penland, Phifer, Reid, Strong, Thompson, Tracey and Woodfin—25.

For Frank I. Wilson,

Messrs. Allison, Armfield, Badger, Battle of Wake, Berry, Calloway, Cannon, Councill, Davidson, Dick, Douthit, Ellison, Gilmer, Gorrell, Graham, Headen, Holden, Kittrell, Manning, McNeill of Harnett, Merritt, Myers, Sanders, Smith of Macon, Sprouse, Spruill of Bertie, Spruill of Tyrell, Thomas of Carteret, Warren and Wilson—30.

Mr. Foy, from the committee, reported that Messrs. Syme & Hall, having received a majority of the votes given, were duly elected, in which report the Convention concurred.

The Convention then resumed the unfinished business of yesterday, it being the ordinance introduced by Mr. Venable, to ratify the Constitution of the Confederate States of America.

After some time spent thereon,

On motion of Mr. Osborne, the whole subject was referred to a select committee, with instructions to report the same at as early a day as practicable.

The President announced the following as said committee: Messrs. Venable, Ruffin, Badger, Barnes and Osborne.

Mr. Kittrell introduced an ordinance to repeal the first clause of the third section of the amendments to the Constitution, which was read the first time and ordered to be printed.

Mr. Biggs offered the following:

Inasmuch as the public mind is now greatly disturbed by a state of war and a threatened invasion by the enemy, which precludes that calm and mature deliberation proper and desirable in altering or amending the organic law; and *whereas*, the attention of the people has not been sufficiently directed to the changes that may be proposed, so as to enable this Convention *now* to act understandingly, and a discussion of such proposed alterations may excite divisions of opinion at a time when harmony of feeling and action is so important:

*Resolved*, That this Convention will receive and lay on the table, without debate, all propositions that may be made to alter or amend the Constitution of the State, but will not consider them at the present session; and such propositions shall be postponed until the next session of the Convention, to be assembled at a time and in a manner to be prescribed.

The Resolution, under the rule, lies over one day for consideration.

Mr. Barnes, from the committee on that subject, reported that the ordinance dissolving the Union between the State of North Carolina and the other States, had been enrolled upon parchment, and recommended that it be signed in the Hall of the House of Commons, this evening at 8 o'clock, the President signing first, and the members afterwards, in alphabetical order—and it was concurred in.

Mr. Batchelor offered the following :

*Resolved*, That a committee of thirteen be appointed to prepare business for this Convention.

On motion of Mr. Ferebee, the resolution was ordered to lie on the table.

Mr. Craige offered the following, which was agreed to :

*Resolved*, That the President of the Convention cause a certified copy of the ordinance adopted by this Convention, on the 20th day of May, 1861, severing the connection of the State of North Carolina with the government of the late United States of America ; and likewise a certified copy of the ordinance adopted on the same day, ratifying the Provisional Constitution of the Confederate States, to be transmitted to the President of the Confederate States of America.

On motion of Mr. Meares, the Convention took a recess until 7 o'clock, P. M.

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7-O'CLOCK, P. M.

The hour of meeting having arrived, the Convention was called to order by the President.

James A. Leak, one of the delegates from Anson, and Rich'd Dillard, delegate from Chowan, having been detained at home by unavoidable causes, appeared and took their seats in the Convention. These delegates severally asked and obtained leave to have it stated on the journal that if they had been present on yesterday, they would have voted for the ordinance of separation.

On motion of Mr. Venable, the order of the Convention, this morning, was so changed that the *counties* should appear on the parchment in alphabetical order.

At 8 o'clock, as agreed upon, in open Convention, the members proceeded to affix their names and places of residence, to the ordinance of separation ; and *one hundred and twenty—the whole number provided for by the act of the General Assembly—came forward and signed the instrument.*

On motion of Mr. Osborne, it was ordered that the Ordinance be deposited with the Secretary of State, and kept in a strong box to be provided for the same.

On motion, the Convention adjourned till to-morrow at 11 o'clock, A. M.

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IN CONVENTION, WEDNESDAY, May 22, 1861.

The Convention met pursuant to adjournment—the President in the chair.

Prayer by Rev. Thomas E. Skinner, of the Baptist Church.  
The journal of yesterday was read and approved.

On motion of Mr. Graham, it was ordered that the Constitution of the State, together with the act of the General Assembly calling this Convention, be printed.

On motion of Mr. Biggs,

*Resolved*, That whenever the Convention shall order any paper or document printed, there shall be one hundred and fifty copies, unless when otherwise directed.

Mr. Headen offered the following :

*Resolved*, Thos. Ruffin, George E. Badger, Will. A. Graham and John A. Gilmer, be appointed a committee to prepare an address, setting forth the causes that have impelled the State of North Carolina to a separation from the Government of the United States of America, and report the same at an early day to this Convention; which, on motion of Mr. Lander, was ordered to lie on the table.

Mr. Batchelor offered the following :

*Resolved*, That after to-day, the Convention meet at 10 o'clock, A. M., and adjourn at 2 o'clock, P. M.; which, on motion of Mr. Badger, was ordered to lie on the table.

Mr. Satterthwaite offered the following, which was agreed to :

*Resolved*, That a committee of ten be appointed, whose duty it shall be to prepare and submit for the consideration of the Convention a statement of the causes which compelled the people of North Carolina to separate themselves from the late United States of America.

Mr. Jones, of Rowan, offered the following :

*Resolved*, That Messrs. Ruffin, Badger, Graham, Biggs, Howard, Osborne, Barnes, Winslow, Craige, Mitchell, Gilmer, Battle of Wake, Strong, Kittrell, Houston of Duplin, and Green, be a committee, instructed to inquire and report to this Convention, whether the act passed by the General Assembly of the State, entitled "An Act to provide against the sacrifice of property and to suspend proceedings in certain cases," be in accordance with the Constitution of the State; and if said committee shall find that said act is not in accordance with the Constitution, that they be instructed to report an ordinance on the subject embraced within said act, which shall meet the public exigency, and preserve, as far as possible, the interests of both creditor and debtor.

Mr. Graham moved to amend the resolution so that the committee should be appointed by the President.

Mr. Lander moved that the whole subject lie on the table. On this question the ayes and noes were ordered, on motion of Mr. Ashe, and resulted as follows :

AYES—The President, and Messrs. Armfield, Arrington, Ashe, Batchelor, Biggs, Bond, Brodnax, Brown, Bunting, Carson, Craige, Cunningham, Dillard, Durham, Eller, Foster of Ashe, Fuller, Hamlin, Hargrove, Henkel, Hill, Lander, Leak of Anson, Mann, McDowell of Bladen, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, McNeill of Harnett, Moody, Moseley, Pettigrew, Reid, Rhodes, Royster, Shaw, Smith of Johnston, Spruill of Bertie, Spruill of Tyrrell, Stewart, Sutherland, Thompson, Thornton, Tracey, Turner, Venable, Williams and Wooten—50.

NOES—Messrs. Allison, Badger, Barnes, Battle of Edgecombe, Battle of Wake, Berry, Calloway, Cannon, Christian, Councill, Cowan, Darden, Davidson, Dick, Douthitt, Ellison, Ferebee, Foster of Randolph, Foy, Gilmer, Gorrell, Graham, Green, Greenlee, Grimes, Hearne, Headen, Hicks, Holden, Houston of Duplin, Houston of Union, Howard, Johnston of Gaston, Johnston of Mecklenburg, Jones of Caldwell, Jones of Rowan, Kittrell, Leak of Richmond, Manning, Meares, Me-

bane, Merritt, Miller, Myers, Osborne, Penland, Phifer, Rayner, Ruffin, Sanders, Satterthwaite, Shipp, Smith of Halifax, Smith of Macon, Speed, Sprouse, Strong, Thomas of Carteret, Walton, Ward, Warren, Washington, Whitford, Wilson and Woodfin—66.

Mr. Graham then withdrew his amendment, whereupon.

Mr. Howard moved to amend by striking out the names of the committee, and providing that a committee of eleven be appointed; which was agreed to, and the resolution as amended was adopted.

The President announced the following as the Committee on the State Flag: Messrs. Whitford, Graham, Rayner, Smith of Halifax, Foy, Winslow and Cunningham.

Mr. Myers offered a resolution requiring the Secretary of State to furnish, and the Printers to print, one hundred and fifty copies each of the following Acts and Resolutions, passed by the General Assembly, at its extra session:

An Act to repeal the 5th section of the 96th chapter of the Revised Code, entitled "Oaths."

An Act for Patrol.

An Act to provide for the public defense.

An Act to define and punish treason against this State; and other offences against the sovereignty of this State.

An Act concerning Taxes.

An Act to provide against the sacrifice of property and to suspend civil process in certain cases.

An Act to provide the ways and means for public defense.

A Resolution concerning Post Offices and Post Roads.

An Act to provide for the time when Volunteers shall be paid for their services.

An Act to authorize the County Courts and corporate towns and cities to lay taxes for public purposes.

Mr. Houston, of Duplin, moved the following as a substitute:

*Resolved*, That the Secretary of State be authorized and required to provide for the immediate publication of the Acts and Resolutions of the recent special session of the General Assembly.

The substitute was not agreed to; and the resolution was then adopted.

Mr. Sanders introduced "An ordinance to amend the Constitution of North Carolina, so as to strike out the 3rd section of the 4th Article of the amendments to the Constitution, ratified by the people on the 2nd Monday of November, 1835, and insert in lieu thereof, a section providing for equal and uniform taxation," which was ordered to lie on the table and be printed.

The ordinance introduced on yesterday by Mr. Kittrell, to repeal the 3rd section of the 4th Article of the Constitution of 1835, was then read the second time.

Mr. Holden moved to amend the same as follows: Strike out the words, "from and after the first day of January next," and insert the following: "and that slaves shall be taxed according to their value, but no higher in proportion to value, than land."

Mr. Ruffin moved to refer the subject to a committee of eleven.

Mr. Ashe moved that the whole subject lie upon the table; on this question the ayes and noes were ordered, on motion of Mr. Ashe, and resulted as follows:

AYES—The President, and Messrs. Arrington, Ashe, Batchelor, Biggs, Brown, Bunting, Carson, Councill, Cowan, Craige, Cunningham, Darden, Dillard, Durham, Foy, Fuller, Green, Grimes, Hargrove, Henkel, Hill, Howard, McDowell of Bladen, McNeill of Cumberland, McNeill of Harnett, Moody, Mosely, Rayner, Reid, Rhodes, Royster, Shaw, Smith of Halifax, Strong, Sutherland, Thornton, Tracy, Venable, Walton, Ward, Williams and Wooten—43.

NOES—Messrs. Allison, Armfield, Badger, Barnes, Battle of Edgecombe, Battle of Wake, Berry, Bond, Brodnax, Calloway, Cannon, Christian, Davidson, Dick, Douthitt, Eller, Ellison, Ferebee, Foster of Ashe, Foster of Randolph, Gilmer, Gorrell, Graham, Greenlee, Hamlin, Headen, Hearne, Hicks, Holden, Houston of Duplin, Houston of Union, Johnston of Gaston, Johnston of Mecklenburg, Jones of Caldwell, Jones of Rowan,



Long, Mann, Manning, McDowell of Burke, McDowell of Madison, Meares, Mebane, Merritt, Miller, Mitchell, Osborne, Patterson, Penland, Pettigrew, Phifer, Ruffin, Sanders, Satterthwaite, Shipp, Smith of Johnston, Smith of Macon, Speed, Sprouse, Spruill of Bertie, Spruill of Tyrrell, Stewart, Thomas of Carteret, Turner, Warren, Washington, Whitford, Wilson and Woodfin—73.

So the motion did not prevail.

On motion of Mr. Meares, the Convention adjourned until to-morrow at 11 o'clock.

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IN CONVENTION, THURSDAY, May 23, 1861.

The hour having arrived, the President took the chair and called the Convention to order.

Prayer by the Rev. Dr. R. S. Mason, of the Protestant Episcopal Church.

The journal of yesterday was read and approved.

Mr. Venable, from the committee to whom was referred the ordinance to ratify the Constitution of the Confederate States, reported the same back, with the following substitute, as an amendment thereto, and recommend its passage.

AN ORDINANCE TO RATIFY THE CONSTITUTION OF THE CONFEDERATE STATES OF AMERICA.

WHEREAS, On the eleventh day of March, A. D., 1861, at Montgomery, in the State of Alabama, a Constitution was adopted by a Congress of delegates from the States of Alabama, Florida, Georgia, Louisiana, Mississippi, South Carolina and Texas, united under the name of the Confederate States of America, which Constitution has been ratified by each of these States:

Now, therefore, this Convention, having seen and considered said Constitution, doth, in behalf of the people of the State of North Carolina, adopt and ratify the said Constitution and form of government.

Mr. Dick moved to amend the amendment as follows :

*Be it further ordained*, That this ordinance shall be in full force and effect when ratified by the legal voters of this State, at an election to be held on a day and in a manner to be provided by this Convention.

On motion of Mr. Graham, these several propositions were ordered to lie on the table, be printed, and made the order of the day for to-morrow, 12 o'clock.

Mr. Rayner offered the following, which was agreed to :

*Resolved*, That His Excellency, the Governor, be requested to communicate to this Convention, the nature of the duties and functions being performed, and to be performed, by the Board appointed under an act of the late General Assembly, entitled "An act to create a Military Board;" what are the ranks and emoluments of said official positions; whether any member of said Board is holding and exercising the duties of more than one official position, and receiving additional pay for the same; and if so, what those official positions are, their rank and emoluments; and whether there are any other persons holding and exercising more than one official position, with additional rank, and entitled to additional emolument on account of the same; and if so, what these offices, and who are holding them.

Mr. Battle, of Wake, offered the following, which was ordered to lie on the table, and be printed :

*Be it resolved by the Convention of the State of North Carolina*, That the Constitution of the State ought to be amended so that slaves may be taxed, according to their value, as much as land, but not more.

That all free white males over the age of twenty-one years, and under the age of forty-five years, may be subject to a capitation tax.

That all free male persons of color, may be subject to a capitation tax, not to exceed that imposed on a white man.

That the debt of the State, actual and contingent, shall not exceed the sum of        millions of dollars, unless in case of war, insurrection or invasion, the public necessities may require it.

John A. Graves, one of the Delegates from the county of Caswell, being Captain of a military company about to be ordered for service to Virginia, tendered his resignation as a member of the Convention.

On motion of Mr. Brown, the President was directed to issue his writ of election to the Sheriff of Caswell county, to fill the vacancy thus created, on the third day of June.

Mr. Ruffin offered the following resolution :

*Resolved*, That a committee of eleven be appointed by the President, and that all propositions now pending, or that may be offered, to amend the Constitution of the State, touching the subject of taxation, revenues, and the borrowing of money, or otherwise contracting debt by the State, shall stand referred to the same, unless otherwise specially ordered.

Mr. Badger moved the following amendment, which was accepted by Mr. Ruffin :

“And said committee shall be, and are hereby instructed to report upon each and all such subjects, with all convenient dispatch.”

The resolution, as amended, was then agreed to.

Mr. Howard offered the following :

That a committee of five be appointed on military affairs, to inquire into the present military organization of the State, with full power to examine persons and papers, and report whatever measures they may deem necessary to perfect the system and increase its efficiency; which, on his motion, was ordered to lie on the table, and be considered by the Convention with closed doors, at half-past twelve o'clock.

Mr. Smith, of Johnston, offered the following, which was agreed to :

*Resolved*, That His Excellency, the Governor, be requested to communicate to this Convention, at as early a day as practicable, the number of volunteers who have offered their services; the number accepted, and from what counties; the number of State troops; the commissions issued, and to whom; the officers appointed by him, and the rank and pay of each; the number of men ordered to service in Virginia from this State;

the number in actual service in this State; the number in camps of instruction; an estimate of the expenses incident to carrying on the necessary military operations for one year; the quantity of arms and munitions of war; the provisions and clothing purchased, and at what prices; what naval force, if any, has been established in this State; and all other information possessed by him in relation to the military and naval condition of this State, and under what laws and provisions of the Constitution the forces aforesaid have been called out and their officers appointed. Ordered to be printed.

Mr. Johnston, of Mecklenburg, introduced "An Ordinance to amend the second Section of the fourth Article of the amendments to the Constitution," which was ordered to lie on the table and be printed.

Mr. Rayner introduced a resolution declaring that the second Section of the fourth Article of the amendments to the Constitution, ought to be amended in certain particulars, and proposing a committee of five to prepare and report an ordinance conformably thereto, which was ordered to lie on the table and be printed.

Mr. Biggs offered the following:

*Resolved*, That until otherwise ordered, the daily sittings of this Convention shall commence at 10 o'clock, A. M.

Mr. Badger moved to strike out the word, "ten," and insert the word, "eleven," which was not agreed to.

The question recurring on the resolution, it was agreed to by the Convention.

The hour of half past twelve having arrived, the President directed the lobbies and galleries to be cleared, and the Convention proceeded to sit with closed doors.

After so remaining for some time, the doors were opened, and on motion, the Convention adjourned.

## IN CONVENTION, FRIDAY, May 24, 1861.

The hour of 10 o'clock having arrived, being the hour agreed upon, on yesterday, the President took the chair and called the Convention to order.

Prayer by Rev. Jos. M. Atkinson, of the Presbyterian Church.

The journal of yesterday was read and approved.

The President announced the following committees:

*On the Address setting forth the cause which led to the separation of this State from the United States:* Messrs. Craige, Ruffin, Graham, Shaw, Ashe, Gorrell, Reid, Badger, Speed and Thompson.

*On Military Affairs:* Messrs. Howard, Woodfin, Venable, Osborne, Kittrell, Brown, Bunting, Foster of Randolph and Jones of Caldwell.

*On Constitutional Amendments touching Taxation and Revenue:* Messrs. Ruffin, Smith of Halifax, McDowell of Bladen, Pettigrew, Thomas of Jackson, Johnston of Mecklenburg, Badger, Biggs, Lander, Mitchell and McDowell of Madison.

On motion of Mr. Reid, the Secretary was authorized to appoint an Engrossing Clerk. [He afterwards appointed Jos. Holderby, of Rockingham County.]

Mr. Houston, of Duplin, offered the following, which was agreed to:

*Resolved*, That in view of the blockade of our ports by Abraham Lincoln, a committee be appointed, consisting of five members, to inquire into and report upon the expediency and legality of an embargo upon the shippers and ship owners of this State.

Whereupon the President announced that the following delegates compose said committee, viz: Messrs. Houston of Duplin, Gilmer, Leak of Richmond, Thomas of Carteret and Warren.

Mr. Batchelor offered the following, which was agreed to:

*Resolved*, That the committee on Constitutional Amendments be required to inquire into the expediency of restricting the Legislature in the imposition of taxes upon slaves, to males between the ages of ten and sixty, and females between the ages of ten and fifty.

Mr. Craige laid before the Convention the act of the Congress of the Confederate States, admitting the State of North Carolina into the Confederation on certain conditions; which, on motion of Mr. Dick, was ordered to be printed.

Mr. Ruffin introduced an ordinance to amend the Constitution, so as to define treason against the State of North Carolina, which passed its first reading, and was ordered to lie on the table.

Mr. Osborne introduced the following, which passed its first reading:

*Resolved*, That the Constitution of the State be so amended as to create the office of Lieutenant Governor.

Mr. Myers offered the following:

WHEREAS, It is possible and probable that our present postal arrangements may be, at an early day, seriously deranged, as they are now upon our southern borders;

*Be it therefore resolved*, That this Convention does hereby pledge the faith of the State to make good to all mail contractors the balance due them, after a faithful performance of their respective contracts, to take date after the 20th May, 1861.

Mr. Armfield moved the following amendment: "which said guarantee shall continue until such time as the government of the Confederate States shall take charge of the postal system of this State."

On motion, the resolution and amendment were ordered to lie on the table.

Mr. Ruffin moved the following, which was agreed to:

*Resolved*, That a committee on Finance be raised, for the purpose of ascertaining the resources of the Treasury, making proper estimates of the sums that will be needed for the period of a year, and proposing the further ways and means for raising the same, if any be needed.

The President announced the following committee on the resolution of Mr. Jones, of Rowan, in regard to the constitutionality of the act of the late session of the General Assembly, commonly known as "The Stay Law:" Messrs. Jones of Rowan, Graham, Arrington, Green, Battle of Edgecombe, Johnston of Gaston, Carson, Miller, Strong, Holden and Spruill of Bertie.

The hour having arrived for the consideration of the special order, it being the ordinance to ratify the Constitution of the Confederate States, with the proposed amendments thereto, on motion, the same was postponed until Monday next, at 12 o'clock.

Mr. Barnes offered the following, which was agreed to:

*Resolved*, That the President of this Convention be requested to direct the special messenger, sent by him to Montgomery, to procure and bring to this Convention, on his return, a duly certified copy of the permanent Constitution of the Confederate States of America.

On motion of Mr. Graham, it was ordered that the Constitution of the Confederate States be printed for the use of the Convention.

Mr. Battle, of Wake, offered the following, which was agreed to :

*Resolved*, That the Public Treasurer prepare, for the use of the Convention, a detailed statement of the public debt, actual and contingent, together with an estimate of all debts which the State may hereafter incur under existing acts of the General Assembly. Also, the kinds of debts, whether bonds or otherwise, and when and where payable ; also the means of the State, ascertained or estimated, annually accruing to meet said debts.

Mr. Craige moved that the Convention adjourn until Monday morning at 10 o'clock. On this question the ayes and noes were ordered, on motion of Mr. Christian, and resulted as follows :

AYES—The President, and Messrs. Badger, Battle of Edgecombe, Bunting, Cannon, Craige, Cunningham, Foy, Fuller, Graham, Houston of Duplin, Howard, Johnston of Mecklenburg, McDowell of Bladen, Meares, Moody, Myers, Osborne, Patterson, Ruffin, Shaw, Shipp, Thomas of Carteret, Washington, Whitford, Williams and Woodfin—28.

NOES—Messrs. Allison, Arrington, Barnes, Batchelor, Battle of Wake, Berry, Biggs, Bond, Brodnax, Brown, Calloway, Cannon, Carson, Christian, Councill, Darden, Davidson, Dick, Dillard, Durham, Eller, Ellison, Ferebee, Foster of Ashe, Foster of Randolph, Gorrell, Green, Greenlee, Grimes, Hamlin, Hargrove, Headen, Hearne, Henkel, Hicks, Hill, Holden, Hous-

ton of Union, Johnston of Gaston, Jones of Caldwell, Jones of Rowan, Kittrell, Leak of Anson, Leak of Richmond, Long, Mann, Manning, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, Meares, Merritt, Miller, Mitchell, Moseley, Penland, Pettigrew, Phifer, Rayner, Reid, Royster, Sanders, Satterthwaite, Smith of Halifax, Smith of Johnston, Smith of Macon, Speed, Sprouse, Spruill of Bertie, Spruill of Tyrrell, Stewart, Strong, Sutherland, Thomas of Jackson, Thompson, Thornton, Tracey, Turner, Venable, Walton, Ward, Wilson and Wooten—86.

So the motion did not prevail.

Mr. Foy introduced "An Ordinance to amend the third section of the fourth article of the amendments to the Constitution," which passed the first reading, was referred to the appropriate committee, and ordered to be printed.

The resolution heretofore introduced by Mr. Howard, relating to Military Affairs, was taken up and amended so as to increase the number of the committee to nine—require its report to be made to the Convention when sitting with closed doors, and to set forth the reasons on which the conclusions of the report shall be founded; and, as thus amended, the resolution was then agreed to.

On motion, the lobbies and galleries were then cleared, and the Convention proceeded to sit with closed doors; and after so remaining for some time, the doors were opened, and the Convention adjourned.

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#### IN CONVENTION, SATURDAY, May 25, 1861.

The hour having arrived, the President called the Convention to order.

The journal of yesterday was read and approved.

Mr. Reid announced the death of Hon. John Hill, one of the Delegates to this Convention, and introduced, in relation thereto, the following resolutions, which were unanimously adopted:

*Resolved*, That this Convention has heard, with emotions of deep regret, of the sudden death of Hon. John Hill, late a member of this Convention from the county of Stokes.



*Resolved*, As a mark of respect for the memory of the deceased, we will wear the usual badge of mourning during the remainder of the present session.

*Resolved*, That the President be requested to transmit a copy of these resolutions to the widow of our deceased brother, assuring her of our high appreciation of the excellent qualities of her late husband, and our sympathy with her on the occasion of his death.

*Resolved*, That as a further testimony of respect, this Convention will now adjourn.

Accordingly, the Convention adjourned until Monday morning at 10 o'clock.

#### IN CONVENTION, MONDAY, May 27, 1861.

The Convention met at the usual hour—the President in the chair.

The journal of Saturday was read and approved.

Mr. Ward offered the following, which was agreed to:

WHEREAS, The present Military Board is understood to be organized without the aid or co-operation of experienced medical advisers, and the selection and appointment of competent and experienced men as surgeons and assistant surgeons of the several regiments of North Carolina volunteers and State troops being highly necessary and important; therefore,

*Resolved*, That the committee on Military Affairs be instructed to inquire and report some practicable mode of examination for appointments for the office of surgeon and assistant surgeon of the military regiments of the State, and report the same to this Convention by resolution or otherwise.

Mr. Speed offered the following:

WHEREAS, The Convention has been invested with supreme power to meet an extraordinary and dangerous emergency, and to exert its best energy to secure the safety and promote the welfare of the commonwealth, unbiased by any influence that *might* arise from the proposed political advancement of any of its members; therefore,

*Resolved*, That this Convention will not confer any appointment of political trust or profit on any of its members.

Mr. Kittrell moved to add the following as an amendment thereto: "Or members of the General Assembly, or of the last Congress of the United States."

Mr. Barnes moved that the resolution and amendment lie on the table. On this motion, Mr. Speed called for the ayes and noes, which being ordered, resulted as follows:

AYES—The President, and Messrs. Allison, Arrington, Ashe, Barnes, Battle of Edgecombe, Battle of Wake, Berry, Biggs, Brown, Calloway, Councill, Cowan, Dick, Eller, Foster of Ashe, Graham, Greenlee, Hamlin, Hargrove, Headen, Hicks, Houston of Duplin, Howard, Johnston of Gaston, Johnston of Mecklenburg, Jones of Caldwell, Jones of Rowan, Kittrell, Long, McDowell of Bladen, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, Meares, Merritt, Myers, Osborne, Patterson, Penland, Phifer, Reid, Rhodes, Royster, Smith of Halifax, Sprouse, Stewart, Strong, Sutherland, Thomas of Jackson, Thompson, Thornton, Tracy, Turner, Venable, Ward, Wilson, Woodfin and Wooten—60.

NOES—Messrs. Armfield, Batchelor, Bunting, Brodnax, Cannon, Carson, Christian, Cunningham, Davidson, Dillard, Durham, Ellison, Ferebee, Gorrell, Grimes, Hearne, Henkel, Holden, Houston of Union, Leak of Richmond, Mann, Manning, Miller, Mitchell, Mosely, Pettigrew, Rayner, Sanders, Smith of Johnston, Smith of Macon, Speed, Spruill of Bertie, Spruill of Tyrrell, Thomas of Carteret, Walton and Warren—36.

So the motion prevailed.

On motion of Mr. Wilson, the President was directed to issue his writ of election to the Sheriff of Stokes county, to open a poll on the 6th day of June, for a Delegate to represent said county, in place of Hon. John Hill, deceased.

Mr. Biggs offered the following, which was agreed to:

*Resolved*, That the Committee on Finance be instructed to inquire into the expediency of reporting an ordinance to appoint an auditor for all the military departments of the State.

Mr. Arrington offered the following, which was ordered to lie on the table :

*Resolved*, That a Secretary of War shall be appointed, whose duty it shall be to take charge of the military affairs of the State.

Mr. Strange presented the resignation of Robert H. Cowan, one of the Delegates from New Hanover county, to take effect from and after Saturday next, said resignation being tendered on account of a conflict of duties, produced by his position as Lieutenant Colonel of the third regiment of State troops.

On motion of Mr. Ashe, the President was authorized to issue a writ of election to the Sheriff of New Hanover county to hold an election to fill the vacancy, on the 1st day of June.

Mr. Graham offered the following, which was agreed :

*Resolved*, That the Secretary of State be directed to procure and furnish to this Convention a copy of the census statistics of North Carolina, as taken under the government of the United States, in the year 1860.

The hour having arrived for the consideration of the order of the day, it being the "Ordinance to ratify the Constitution of the Confederate States of America," Mr. Smith, of Halifax, moved to postpone the same, and make it the special order for to-morrow at 12 o'clock.

On this question the ayes and noes were ordered, on motion of Mr. Badger, and resulted as follows :

AYES—The President, and Messrs. Allison, Armfield, Arrington, Badger, Barnes, Battle of Edgecombe, Battle of Wake, Berry, Biggs, Bond, Brodnax, Brown, Cannon, Christian, Councill, Davidson, Dick, Dillard, Douthitt, Eller, Ferebee, Foster of Randolph, Gilmer, Gorrell, Graham, Hamlin, Headen, Hearne, Holden, Houston of Union, Howard, Johnston of Mecklenburg, Jones of Caldwell, Jones of Rowan, Kittrell, Long, Mann, Manning, Merritt, Mitchell, Myers, Pettigrew, Reid, Sanders, Shipp, Smith of Halifax, Smith of Johnston, Smith of Macon, Speed, Sprouse, Spruill of Tyrrell, Strong, Thomas of Carteret, Thomas of Jackson, Turner, Warren and Wilson—57.

NOES—Messrs. Ashe, Batchelor, Bunting, Calloway, Carson, Cowan, Craige, Cunningham, Durham, Ellison, Foster of Ashe, Greenlee, Hargrove, Henkel, Hicks, Houston of Duplin, Johnston of Mecklenburg, Leak of Richmond, McDowell of Bladen, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, McNeill of Harnett, Miller, Moseley, Osborne, Patterson, Penland, Phifer, Rayner, Rhodes, Royster, Sutherland, Spruill of Bertie, Stewart, Thompson, Thornton, Tracey, Venable, Ward, Woodfin and Wooten—42.

So the motion to postpone prevailed.

On motion, the lobbies and galleries were then cleared, and the Convention proceeded to sit with closed doors.

After some time spent in secret session, the doors were opened, and on motion of Mr. Rayner, a communication from His Excellency, the Governor, the resolution formerly introduced by Mr. Rayner, to which the letter was a response, and the act of the General Assembly creating a Military Board, were ordered to be printed.

On motion of Mr. Howard, it was ordered that, until otherwise directed, the morning sessions of the Convention shall commence at 11 o'clock.

And then, on motion, the Convention adjourned.

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#### IN CONVENTION, TUESDAY, May 28, 1861.

In pursuance of the order of yesterday, the Convention assembled at 11 o'clock—the President in the chair.

Prayer by Rev. Joel W. Tucker, of the M. E. Church, South. The journal of yesterday was read and approved.

Mr. Ashe moved to reconsider the vote of yesterday, by which the daily sessions of the Convention were fixed at 11 o'clock. The motion was ordered to lie on the table for consideration to-morrow.

Mr. Battle, of Wake, offered the following resolution, which was ordered to lie on the table and be printed:

*Resolved*, That in the opinion of this Convention, the Constitution of the State ought to be so amended as to require the Governor to set forth in writing, fully, the grounds of all reprieves, pardons and remissions, to be entered on the register of his official acts, and laid before the General Assembly at their next session.

Mr. Battle, of Edgecombe, offered the following, which was referred to the Committee on Finance and ordered to be printed:

*Resolved*, That in the opinion of this Convention the Constitution of the State ought to be so amended that all laws or resolutions, having the force of laws, whereby appropriations of money shall be made, either for internal improvement or for any other purpose, or whereby the debt of the State, actual or contingent, may be increased, shall be passed by separate and distinct enactments for each and every appropriation so made, or liability so incurred; and that no appropriation, and no increase of the State debt, actual or contingent, shall be made, except by a majority of the whole number of members elected to each branch of the General Assembly.

Mr. Thomas, of Jackson, offered the following, which was agreed to:

*Resolved*, That a committee of seven be appointed to inquire and report, whether any, and if any, what amendments are proper to be made to the 33rd article of the Constitution of the State, with regard to the appointment and jurisdiction of Justices of the Peace; and, if deemed necessary, that they be instructed to report the amendments proper to be made.

Mr. Thomas, of Carteret, offered the following, which was agreed to:

*Resolved*, That the committee on Military Affairs be instructed to inquire and report, what is the state of preparation for the defense of Beaufort Harbor, if any; what additional preparation is needed; whether other and further preparation than that already made, is intended to be made, and if so, how and when. Also, whether some of the arms of the State ought not to be distributed among some of the companies of militia at or near the seaboard, contiguous to Fort Macon.

Mr. Smith, of Halifax, introduced an ordinance to authorize the Governor to raise seven regiments of volunteers from the counties lying on and east of the Wilmington and Weldon, and the Seaboard and Roanoke Railroads, for the exclusive defense of the seaboard counties of the State; which passed its first reading.

Mr. Manning offered the following, which was agreed to:

*Resolved*, That a committee be appointed to take into consideration the propriety of connecting the Coalfields and Iron Mines, on Deep River, with the railroad system of the State.

Mr. Batchelor offered the following, which was ordered to lie on the table:

*Resolved*, That a committee on constitutional amendments be appointed.

Mr. Ellison offered the following, which lies over one day under the rules:

*Resolved*, That from and after Thursday next, the daily sessions of this Convention shall commence at 9 o'clock, A. M., and continue during each day, except a recess from 1 to 3½ P. M.

On motion, the lobbies and galleries were then cleared, and the Convention then proceeded to sit with closed doors.

After some time spent in secret session, the doors were opened, and the Convention went into the consideration of the order of the day, it being the ordinance to ratify the Constitution of the Confederate States of America, with the proposed amendments thereto, the pending question being the amendment offered by Mr. Dick.

Mr. Dick moved that the same be postponed until to-morrow at 12 o'clock. On this motion the ayes and noes were ordered, on motion of Mr. Venable, and resulted as follows:

AYES—Messrs. Allison, Armfield, Badger, Barnes, Battle of Wake, Berry, Bond, Calloway, Cannon, Christian, Council, Davidson, Dick, Douthitt, Eller, Ferebec, Graham, Hamlin, Headen, Holden, Jones of Caldwell, Kittrell, Long, Mann, Manning, Merritt, Pettigrew, Shipp, Smith of Johnston, Smith of Macon, Speed, Sprouse, Spruill of Bertie, Spruill of Tyrrell, Thomas of Carteret, Warren and Wilson—37.

**NOES**—The President, and Messrs. Arrington, Ashe, Bachelor, Battle of Edgecombe, Biggs, Brodnax, Brown, Bunting, Carson, Cowan, Craige, Cunningham, Darden, Dillard, Durham, Foster of Ashe, Foy, Green, Greenlee, Grimes, Hargrove, Hearne, Henkel, Hicks, Houston of Duplin, Houston of Union, Howard, Johnston of Gaston, Johnston of Mecklenburg, Jones of Rowan, Leak of Richmond, McDowell of Bladen, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, McNeill of Harnett, Meares, Mebane, Miller, Mitchell, Moody, Moseley, Myers, Osborne, Patterson, Penland, Phifer, Rayner, Reid, Rhodes, Royster, Sanders, Smith of Halifax, Stewart, Strong, Sutherland, Thomas of Jackson, Thompson, Thornton, Tracy, Turner, Venable, Walton, Ward, Williams, Winslow, Woodfin and Wooten—67.

So the motion to postpone did not prevail.

Mr. Gorrell moved that the Convention now adjourn. On this question the ayes and noes were ordered, on motion of Mr. Ashe, and resulted as follows:

**AYES**—Messrs. Allison, Armfield, Battle of Wake, Badger, Barnes, Berry, Brodnax, Calloway, Christian, Davidson, Dick, Douthitt, Ferebee, Foster of Ashe, Gorrell, Graham, Hamlin, Headen, Hearne, Holden, Long, Mann, Manning, Mebane, Merritt, Pettigrew, Smith of Mecklenburg, Sprouse, Spruill of Bertie, Spruill of Tyrrell, Thomas of Carteret, Warren and Wilson—33.

**NOES**—The President, and Messrs. Arrington, Ashe, Bachelor, Battle of Edgecombe, Biggs, Brown, Bunting, Cannon, Carson, Councill, Cowan, Craige, Cunningham, Darden, Dillard, Durham, Eller, Ellison, Foy, Greenlee, Grimes, Hargrove, Henkel, Hicks, Houston of Duplin, Houston of Union, Howard, Johnston of Gaston, Johnston of Mecklenburg, Jones of Caldwell, Jones of Rowan, Leak of Richmond, McDowell of Bladen, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, McNeill of Harnett, Meares, Miller, Mitchell, Moody, Moseley, Myers, Osborne, Patterson, Penland, Phifer, Rayner, Reid, Rhodes, Royster, Sanders, Smith of Halifax, Smith of Johnston, Speed, Stewart, Strong, Sutherland, Thompson,

Thornton, Tracy, Turner, Venable, Walton, Ward, Williams, Winslow, Woodfin and Wooten—69.

So the Convention refused to adjourn.

Mr. Biggs offered the following amendment to the rules, which lies over one day under the rule: "After the word 'alterations,' in the 23rd rule, insert the words 'or amendment.'"

And then, on motion, the Convention adjourned.

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IN CONVENTION, WEDNESDAY, May 29, 1861.

The President took the chair and called the Convention to order.

The journal of yesterday was read and approved.

The President announced the following committees:

*On Amendments to the 33rd Section of the Constitution:* Messrs. Thomas of Jackson, Leak of Anson, Dick, Grimes, Thornton, Moody and Davidson.

*On the Coalfields connection with the railroad system of the State:* Messrs. Manning, Meares, Brodnax, Battle of Wake and Dillard.

On motion of Mr. Howard, the President added Messrs. Ferebee, Pettigrew and Meares, to the committee on Military Affairs.

Mr. Christian offered the following, which was agreed to:

*Resolved*, That the committee on the 33rd Article of the Constitution be instructed to inquire into the propriety of having the Justices of the Peace elected by the legal voters of the State.

Mr. Houston, of Duplin, offered the following, which passed the first reading, and was referred to the Committee on Military Affairs:

*Resolved*, That His Excellency, the Governor, be required to arm and equip all such companies of volunteers as have been tendered, quartered, accepted and sworn, for the term of six months service, and have the same mustered and officered for immediate service, whenever required, in or out of the State.



Mr. Calloway offered the following, which were ordered to lie on the table, be printed, and referred to a select committee of seven—one from each judicial district, with instructions, in its discretion, to report an ordinance or ordinances, embracing the subjects therein contained :

*Resolved*, That the Constitution of the State ought to be so amended that no able-bodied white man shall be allowed to vote for members of the House of Commons who may have refused or failed to pay his poll tax for the year immediately preceding any election at which he may offer to vote, for which he may be liable and owing.

*Resolved further*, That the Constitution should be so altered as to provide that no free white man shall be entitled to vote for a member of the Senate in this State who shall not have paid a property tax equal to the tax on one hundred dollars value of land or real estate for the year immediately preceding any election at which he may offer to vote for a member of the Senate.

*Resolved further*, That the Constitution of this State should be so amended that the right to amend the Constitution by the Legislature shall be abolished.

Mr. Headen offered the following, which was agreed to :

*Resolved*, That the committee appointed to inquire into the expediency of connecting the railroad system of this State with the Iron and Coalfields of Deep River, in the county of Chatham, be also instructed to inquire into the propriety and expediency of establishing within or near that valley a State foundry and arsenal, or other machinery for the purpose of constructing arms and munitions of war ; and that they report what, in their opinion, will be the probable cost of such an establishment.

On motion of Mr. Smith, of Halifax, the ordinance introduced by him, on yesterday, in relation to the seaboard defenses, was taken up and put on its second reading, pending the consideration of which, the hour arrived, and the Convention proceeded to the order of the day, being the ordinance to ratify the Constitution of the Confederate States of America, and the amendments thereto proposed.

Mr. Graham moved to postpone the further consideration of the subject until the first Thursday in August next.

Mr. Christian moved that the Convention adjourn, on which the ayes and noes were ordered, on motion of Mr. Batchelor, and resulted as follows :

AYES—The President, and Messrs. Allison, Armfield, Badger, Barnes, Battle of Wake, Berry, Bond, Brodnax, Brown, Callo-way, Cannon, Christian, Councill, Davidson, Dick, Douthitt, Eller, Ellison, Ferebee, Foster of Ashe, Gilmer, Gorrell, Graham, Green, Headen, Holden, Jones of Caldwell, Jones of Rowan, Leak of Anson, Long, Mann, Manning, Mebane, Merritt, Mitchell, Moody, Myers, Osborne, Pettigrew, Rayner, Ruffin, Sanders, Satterthwaite, Shipp, Smith of Halifax, Smith of Johnston, Smith of Macon, Speed, Spruill of Bertie, Spruill Tyrrell, Strong, Thomas of Carteret, Thompson, Walton, Warren, Washington, Whitford and Wilson—59.

NOES—Messrs. Arrington, Ashe, Batchelor, Battle of Edgecombe, Biggs, Bunting, Carson, Cowan, Craige, Cunningham, Darden, Dillard, Durham, Foy, Fuller, Greenlee, Grimes, Hamlin, Hargrove, Hearne, Henkel, Hicks, Houston of Duplin, Houston of Union, Howard, Johnston of Gaston, Johnston of Mecklenburg, Leak of Richmond, McDowell of Bladen, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, McNelll of Harnett, Meares, Miller, Moseley, Patterson, Penland, Phifer, Reid, Rhodes, Royster, Sprouse, Stewart, Sutherland, Thomas of Jackson, Thornton, Tracey, Turner, Ward, Williams, Winslow, Woodfin and Wooten—54.

So the Convention adjourned.

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#### IN CONVENTION, THURSDAY, May 30, 1861.

The hour having arrived, the President called the Convention to order. Prayer by Rev. Dr. Mason, of the P. E. Church.

The journal of yesterday was read and approved.

The President announced the committee "On suffrage, and legislative mode of amending the Constitution:" Messrs. Callo-way, Ruffin, Rayner, Barnes, Washington, Fuller and Shipp.

The President laid before the Convention a letter addressed to the Convention by the Hon. Robert Toombs, Secretary of State of the Confederate States, inclosing the proclamation of President Davis, declaring the State of North Carolina a member of the Confederate States of America; which were severally read, and, on motion of Mr. Craige, ordered to be printed, together with the letter of the President of the Convention which accompanied the ordinance transmitted to Montgomery by special messenger.

Mr. Badger introduced an ordinance providing the mode of authenticating ordinances and resolutions having the force of laws, which passed its first and second readings.

Mr. Biggs moved that the Convention go into secret session. On this question the ayes and noes were ordered, on motion of Mr. Badger, and resulted as follows:

AYES—The President, and Messrs. Allison, Ashe, Battle of Edgecombe, Battle of Wake, Biggs, Brodnax, Brown, Bunting, Carson, Craige, Darden, Davidson, Dillard, Durham, Foy, Fuller, Gorrell, Greenlee, Grimes, Hargrove, Hearne, Henkel, Howard, Johnston of Gaston, Johnston of Mecklenburg, Jones of Caldwell, Leak of Richmond, McDowell of Bladen, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, McNeill of Harnett, Meares, Miller, Mitchell, Moody, Osborne, Patterson, Penland, Phifer, Reid, Rhodes, Royster, Ruffin, Satterthwaite, Shaw, Shipp, Smith of Halifax, Smith of Macon, Smith of Johnston, Sprouse, Stewart, Strong, Sutherland, Thomas of Carteret, Thompson, Thornton, Tracy, Turner, Venable, Washington, Williams and Wooten—64.

NOES—Messrs. Armfield, Arrington, Badger, Barnes, Batchelor, Berry, Bond, Calloway, Cannon, Christian, Council, Dick, Douthitt, Eller, Ellison, Ferebee, Foster of Ashe, Gilmer, Graham, Green, Hamlin, Headen, Hicks, Holden, Houston of Duplin, Jones of Rowan, Kittrell, Leak of Anson, Long, Mann, Manning, Mebane, Merritt, Myers, Pettigrew, Rayner, Sanders, Speed, Spruill of Bertie, Spruill of Tyrrell and Wilson—41.

So the motion prevailed, and the Convention proceeded to sit with closed doors.

After some time spent in secret session, the doors were opened.

Mr. Ashe moved to take up and consider the unfinished business of yesterday, being the ordinance ratifying the Constitution of the Confederate States of America.

Mr. Speed moved that the Convention adjourn.

On this question the ayes and noes were ordered, on motion of Mr. Ashe, and resulted as follows:

AYES—Mr. President, and Messrs. Allison, Armfield, Badger, Barnes, Battle of Edgecombe, Battle of Wake, Brown, Calloway, Cannon, Christian, Davidson, Dick, Eller, Ferebee, Foster of Ashe, Gilmer, Gorrell, Graham, Green, Headen, Holden, Jones of Rowan, Kittrell, Leak of Anson, Long, Mann, Manning, McDowell of Bladen, McNeill of Harnett, Mebane, Merritt, Miller, Mitchell, Pettigrew, Rayner, Ruffin, Sanders, Shipp, Smith of Halifax, Smith of Jackson, Smith of Macon, Speed, Spruill of Bertie, Spruill of Tyrrell, Thomas of Carteret, Walton, Warren, Washington, Whitford and Wilson—52.

NOES—Messrs. Arrington, Ashe, Batchelor, Biggs, Brodnax, Bunting, Carson, Councill, Craige, Cunningham, Darden, Dillard, Durham, Greenlee, Grimes, Hargrove, Hearne, Henkel, Hicks, Houston of Duplin, Howard, Johnston of Gaston, Johnston of Mecklenburg, Jones of Caldwell, Leak of Richmond, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, Meares, Moody, Moseley, Myers, Osborne, Penland, Phifer, Reid, Rhodes, Royster, Shaw, Sprouse, Stewart, Strong, Sutherland, Thornton, Tracey, Venable, Williams, Winslow, Woodfin and Wooten—50.

And the Convention adjourned.

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#### IN CONVENTION, FRIDAY, May 31, 1861.

The President called the Convention to order. Prayer by Rev. Joseph M. Atkinson, of the Presbyterian Church.

The journal of yesterday was read and approved.

Mr. Jones, of Rowan, from the committee appointed to inquire into and report upon the constitutionality of an act of the last session of the General Assembly, entitled "An Act to prevent the sacrifice of property, and to suspend proceedings in certain cases," made a report thereon, asking to be discharged from the further consideration of the subject. The report was concurred in, and the committee discharged.

Mr. Green introduced the following resolution :

*Resolved*, That this Convention proceed to-morrow, at 12 o'clock, to elect five commissioners to represent the State of North Carolina in the Congress of the Confederate States of America.

Mr. Holden moved the following as a substitute therefor :

*Resolved*, That a committee be appointed to prepare and report an ordinance providing for an election by the people of this State of five delegates to the Confederate Congress, to be elected by *general ticket*.

Mr. Ruffin moved to amend the substitute by striking out "five" and inserting "ten," which was not agreed to.

Mr. Gorrell moved to strike out "five" and insert "eight," pending the consideration of which, on motion of Mr. Ferebee, the subject was postponed until Monday, at 12 o'clock.

Mr. Badger offered the following, which was agreed to :

*Resolved*, That the Committee on Finance be instructed to inquire into the expediency of altering, modifying, or abrogating the act passed at the late session of the General Assembly providing for the issue of Treasury notes ; and that said committee report at as early a period as practicable, by ordinance or otherwise.

The order of the day being then called for by Mr. Venable, being the ordinance to ratify the Constitution of the Confederate States, with the proposed amendments thereto, the pending question being the motion of Mr. Graham to postpone the further consideration of the subject until the first Thursday in August.

Mr. Smith, of Halifax, moved to postpone the same, and in lieu thereof, that the Convention proceed to consider the ordi-

nance to provide for the defense of the seaboard counties of the State. On this question the ayes and noes were ordered, on motion of Mr. Battle, of Wake, and resulted as follows:

AYES—Messrs. Allison, Armfield, Badger, Barnes, Battle of Wake, Bond, Brodnax, Calloway, Cannon, Christian, Councill, Davidson, Dick, Dillard, Douthitt, Eller, Ellison, Ferebee, Foster of Ashe, Foy, Fuller, Gilmer, Gorrell, Graham, Grimes, Hearne, Headen, Holden, Jones of Caldwell, Jones of Rowan, Kittrell, Long, Mann, Manning, McNeill of Cumberland, McNeill of Harnett, Mebane, Miller, Mitchell, Pettigrew, Rayner, Sanders, Shipp, Smith of Halifax, Smith of Johnston, Smith of Macon, Speed, Sprouse, Spruill of Bertie, Spruill of Tyrrell, Thomas of Carteret, Walton, Ward, Warren, Washington, Williams and Wilson—57.

NOES—Messrs. Arrington, Ashe, Batchelor, Battle of Edgecombe, Berry, Biggs, Brown, Bunting, Carson, Craige, Cunningham, Darden, Durham, Edwards, Green, Greenlee, Hargrove Henkel, Hicks, Houston of Duplin, Houston of Union, Howard, Johnston of Gaston, Johnston of Mecklenburg, Leak of Anson, Leak of Richmond, McDowell of Bladen, McDowell of Burke, McDowell of Madison, Meares, Merritt, Moody, Moseley, Myers, Osborne, Patterson, Penland, Phifer, Reid, Rhodes, Royster, Ruffin, Satterthwaite, Shaw, Stewart, Strong, Sutherland, Thomas of Jackson, Thompson, Thornton, Tracey, Turner, Venable, Whitford, Woodfin and Wooten—55.

So the motion prevailed.

By consent, Mr. Arrington withdrew the ordinance heretofore introduced by him, providing for the appointment of a Secretary of War, and in lieu thereof, offered another ordinance on the same subject, which passed its first reading, and was ordered to lie on the table and be printed.

The ordinance for the seaboard defense being then under consideration on its second reading,

Mr. Howard moved to amend by striking out all that part of the same, between the words "railroad," and the words, "for the exclusive," and inserting the following: "One regiment of cavalry, one regiment of artillery, two regiments of rifles, and three regiments of infantry," which was agreed to:

Mr. Howard also moved to amend by adding the words, "provided the said regiments can be raised in that portion of the State," and also to strike out that part relating to the rendezvous, which were agreed to.

Mr. Howard now moved that the whole subject do lie on the table, which was not agreed to.

On motion of Mr. Badger, the following amendment to the ordinance was made: "Said regiments shall be considered a part of, and not an addition to, to the volunteer forces, which the Governor has been authorized to raise, by an act of the last General Assembly.

Mr. Biggs moved that the subject lie on the table.

On this motion the ayes and noes were ordered, on motion of Mr. Spruill, of Bertie, and resulted as follows:

AYES—Messrs. Allison, Ashe, Batchelor, Battle of Edgecombe, Biggs, Brodnax, Bunting, Craige, Cunningham, Durham, Edwards, Greenlee, Hargrove, Henkel, Houston of Duplin, Howard, Johnston of Gaston, Jones of Rowan, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, McNeill of Harnett, Mitchell, Osborne, Patterson, Penland, Reid, Rhodes, Royster, Ruffin, Stewart, Strong, Sutherland, Thomas of Jackson, Thompson, Thornton, Tracy, Turner, Woodfin and Wooten—40.

NOES—Messrs. Arrington, Armfield, Badger, Barnes, Battle of Wake, Berry, Bond, Calloway, Cannon, Carson, Christian, Councill, Darden, Davidson, Dick, Dillard, Douthitt, Eller, Ellison, Ferebee, Foster of Ashe, Foy, Gilmer, Graham, Green, Grimes, Hearne, Headen, Hicks, Holden, Houston of Union, Jones of Caldwell, Kittrell, Leak of Anson, Long, Mann, Mebane, Merritt, Miller, Moody, Pettigrew, Phifer, Rayner, Sanders, Shaw, Smith of Halifax, Smith of Johnston, Smith of Macon, Speed, Sprouse, Spruill of Bertie, Thomas of Carteret, Venable, Walton, Ward, Warren, Washington, Whitford, Williams and Wilson—60.

So the motion did not prevail.

Mr. Houston, of Duplin, moved that the whole subject be referred to the Committee on Military Affairs, and on this

question the ayes and noes were ordered, on motion of Mr. Spruill, of Bertie, and resulted as follows :

AYES—Messrs. Batchelor, Biggs, Brodnax, Carson, Craige, Cunningham, Darden, Durham, Edwards, Hargrove, Henkel, Houston of Duplin, Howard, Johnston of Gaston, Johnston of Mecklenburg, Jones of Rowan, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, McNeill of Harnett, Miller, Osborne, Patterson, Rayner, Reid, Rhodes, Royster, Ruffin, Shaw, Stewart, Strong, Sutherland, Thompson, Thornton, Tracy, Turner, Venable, Washington, Winslow, Woodfin and Wooten—41.

NOES—Messrs. Allison, Armfield, Arrington, Barnes, Battle of Wake, Berry, Bond, Bunting, Calloway, Cannon, Christian, Council, Davidson, Dick, Dillard, Douthitt, Eller, Ellison, Ferebee, Foster of Ashe, Foy, Gilmer, Gorrell, Graham, Green, Greenlee, Grimes, Hearne, Headen, Hicks, Holden, Houston of Union, Jones of Caldwell, Kittrell, Leak of Anson, Long, Mann, Mebane, Merritt, Mitchell, Moody, Penland, Pettigrew, Sanders, Smith of Halifax, Smith of Johnston, Smith of Macon, Speed, Sprouse, Spruill of Bertie, Thomas of Carteret, Thomas of Jackson, Walton, Ward, Warren, Whitford, Williams and Wilson—57.

So the motion to refer did not prevail.

Mr. Houston, of Duplin, offered the following amendment, which was not agreed to: "Add to the *proviso* adopted on motion of Mr. Howard, the following words: 'and if not, then from any other part of the State.'"

Mr. Ruffin moved to amend as follows: strike out the words, "east of the Wilmington and Weldon Railroad," and insert the words, lying on and east of the Wilmington and Weldon, and the Seaboard and Roanoke Railroads," which was agreed to.

Mr. Thomas, of J., moved to strike out the word, "instructed," and insert the word, "requested," which was not agreed to.

Mr. Houston, of Duplin, offered the following amendment—add as follows: "And that all the forces now raised within the section of the State, included within the eastern division of the State, and not assigned to any other service, shall be retained for this service, and no other whatever," which was not agreed to.



The question now recurring on the passage of the ordinance on its second reading, Mr. Thomas, of Jackson, called for the ayes and noes, which being ordered, resulted as follows:

AYES—Messrs. Allison, Arnfield, Arrington, Barnes, Battle of Wake, Berry, Bond, Calloway, Cannon, Christian, Davidson, Dick, Dillard, Douthitt, Edwards, Eller, Ellison, Ferebee, Foster of Ashe, Foy, Gilmer, Gorrell, Graham, Green, Grimes, Headen, Hicks, Holden, Jones of Caldwell, Kittrell, Long, Mann, Mebane, Merritt, Moody, Osborne, Pettigrew, Sanders, Smith of Halifax, Smith of Johnston, Smith of Macon, Speed, Sprouse, Spruill of Bertie, Thomas of Carteret, Turner, Venable, Walton, Ward, Warren, Whitford and Wilson—54.

NOES—Messrs. Batchelor, Biggs, Bunting, Carson, Craige, Cunningham, Durham, Fuller, Greenlee, Hargrove, Hearne, Henkel, Houston of Duplin, Houston of Union, Howard, Johnston of Gaston, Johnston of Mecklenburg, Jones of Rowan, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, McNeill of Harnett, Miller, Moseley, Patterson, Penland, Rayner, Rhodes, Royster, Ruffin, Shaw, Stewart, Strong, Sutherland, Thomas of Jackson, Thornton, Tracy, Washington, Williams, Winslow, Woodfin and Wooten—42.

So the ordinance passed its second reading.

On motion, the Convention then proceeded to sit with closed doors; and after some time spent therein, the doors were opened and the Convention adjourned.

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#### IN CONVENTION, SATURDAY, June 1, 1861.

The President took the chair and called the Convention to order.

The journal of yesterday was read and approved.

On motion of Mr. Leak, of Richmond, leave of absence was granted to Mr. Myers, of Anson, for three days.

The President laid before the Convention a response from the Secretary of State to a resolution of the Convention, relating to the census statistics, which was ordered to lie on the table and be printed.

Mr. Howard, from the Committee on Military Affairs, made a report, which was ordered to lie on the table and be printed, in confidence.

Mr. Batchelor offered the following:

*Resolved*, That a committee be appointed to inquire into the propriety of having the census of North Carolina published, and in what manner it should be done; which, on motion of Mr. Satterthwaite, was ordered to lie on the table.

Mr. Ruffin offered the following:

That it be referred to a select committee to inquire—first, whether the Constitution ought not to be so amended as to require that all bills should be read three times on three several days, in each House of the General Assembly, before they pass into laws: secondly, ought not the Constitution to be so amended as to provide that the Governor shall hold his office for the term of four years, and be ineligible for the succeeding term, and so as also to vest in the Governor a qualified veto on the acts of the General Assembly.

Mr. Osborne moved to amend by adding, "That said committee be instructed to inquire into the expediency of creating the office of Lieutenant Governor," which amendment was accepted by Mr. Ruffin, and the resolution was then agreed to.

Mr. Badger offered the following, which, on his motion, was ordered to lie on the table and be printed:

*Resolved*, That the Constitution of the State ought to be amended so as to provide that the ayes and noes shall not be taken on any question in either house of the General Assembly, unless the call for the same be seconded by one-fifth of the members present.

*Resolved*, That a committee of five be appointed by the chair to draw up and report an ordinance providing for the foregoing amendment.

Mr. Ferebee offered the following, which was agreed to:

*Resolved*, That it be referred to a committee to inquire into the propriety or expediency of the meeting of the General Assembly, on the 25th instant, and that that committee be instructed to report by ordinance or otherwise, at an early day.

On motion of Mr. Johnston, of Mecklenburg, the ordinance heretofore introduced by him to amend the second Section of the fourth Article of the Amendments to the Constitution, was then considered, being on its second reading.

Mr. Biggs moved to strike out all after the ordaining clause, and inserting, "be abrogated and annulled."

Pending the consideration of which,

On motion of Mr. Ferebee, the Convention adjourned until Monday morning at 11 o'clock.

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### IN CONVENTION, MONDAY, June 3, 1861.

The hour having arrived, the President took the chair and called the Convention to order.

At the request of the President prayer was offered by Rev. William Hicks, of the M. E. Church, South, and Delegate to the Convention from Haywood County.

The journal of Saturday was read and approved.

The President announced the following committees:

*On the proposed Amendment to the Second Article of the Constitution:* Messrs. Ruffin, Osborne, Badger, Satterthwaite and Winslow.

*On the meeting of the General Assembly on the 25th instant:* Messrs. Ferebee, McNeill of Cumberland, Reid, Lander and Headen.

Mr. Osborne offered the following:

*Resolved,* That a committee be appointed to inquire into the expediency of amending the Constitution so as to require the General Assembly to meet annually, and that its sessions be limited to a fixed period, and that the apportionment of members thereof be made every ten years.

Mr. Battle, of Wake, moved to amend by adding: "Also, that said committee inquire into the propriety of annual elections of the members of the General Assembly," which was accepted by Osborne, and the resolution was agreed to.

Mr. Leak, of Richmond, offered the following, which lies over day under the rule :

*Resolved*, That during the remainder of the session the Convention shall meet at 10 o'clock, A. M., and adjourn at 1 o'clock, P. M., and shall meet again at 3 P. M., and adjourn at 6 P. M.

Mr. Gorrell offered the following, which was agreed to :

*Resolved*, That His Excellency, the Governor, be requested to furnish to this Convention a copy of the rules, regulations and penalties, and the articles of war of the army of the Confederate States of America.

Mr. Graham offered the following, which was agreed to :

*Resolved*, That the committee on Military Affairs be instructed to inquire whether it is expedient to continue the enlistment of State troops, under the recent act of the General Assembly to raise ten thousand men ; or whether the levies of the State should not be directed to the raising of volunteers or other militia forces, to be mustered into the service of the Confederate States.

*Resolved*, That said committee further inquire, what number of forces of all arms, and of each several arm of the service, it is expedient for North Carolina to raise immediately, considering her relations to the Government of the Confederate States and the proportions in which each State should contribute to the common defense.

*Resolved*, That His Excellency, the Governor, be requested to furnish this Convention with copies of every requisition for troops which he has made, by the authority of the Confederate States.

Mr. Pettigrew offered the following resolution, which was agreed to :

*Resolved*, That the Governor be, and he is hereby requested, to furnish to the Convention, as early as the information can be obtained, as to what quantity and description of arms, in addition to those now in the State, would be required to arm the militia of North Carolina, and that said information be communicated in secret session.

Mr. Howard offered the following, which was agreed to :

*Resolved*, That the committee to be appointed on the resolution introduced this morning by Mr. Osborne, be instructed to inquire into the propriety of a new apportionment of the members of the House of Commons, and Senatorial districts, by the General Assembly, and report by ordinance or otherwise.

The hour having arrived for the consideration of the special order, being the resolution of Mr. Green and the amendments thereto, the pending question being on the amendment of Mr. Gorrell, to strike out "five," and insert "eight:"

Mr. Venable moved to postpone the same for the purpose of considering the ordinance to ratify the Constitution of the Confederate States of America, which was agreed to.

The question pending was the motion of Mr. Graham to postpone the further consideration of the subject until the first Monday in August next, and after some time spent thereon,

Mr. Pettigrew moved that the Convention adjourn, and it was not agreed to.

Mr. Thomas, of Jackson, moved that the Convention resolve itself into a Committee of the Whole, for the purpose of considering the pending question, which motion was not concurred in.

And then, on motion of Mr. Graham, the Convention adjourned.

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#### IN CONVENTION, TUESDAY, June 4, 1861.

The President took the chair and called the Convention to order.

Prayer by the Rev. Joel W. Tucker, of the M. E. Church, South.

The journal of yesterday was read and approved.

Mr. Badger offered the following additional rules:

After the journal is read, the President shall first call for petitions, and then for reports from committees, after which resolutions and proposed ordinances shall be in order.

Every resolution and every report of a committee shall lie one day for consideration.

A motion that the Convention go into secret session shall be in order after the call for resolutions and proposed ordinances, and shall be decided without debate.

All proposed ordinances shall, after the first reading, be printed for the use of the Convention, but no other paper or document shall be printed for the use of the Convention without special order.

The President shall not call for the orders of the day until one hour after the meeting of the Convention, but when the time shall have arrived for the consideration of a special order, it shall be the duty of the chair to take up such special order, and the Convention shall proceed to consider it, unless it be postponed by a vote of the Convention.

When two or more subjects shall be assigned for the same hour, they shall take precedence according to the time at which they shall be assigned.

Special orders shall have precedence of general orders, and shall not lose their position as such, nor their relative position on the calendar, unless by vote of the Convention, until finally disposed of; and amongst these orders, general or special, the unfinished business upon which the Convention shall have been engaged at the last preceding adjournment, shall have the preference.

The titles of ordinances, and such parts thereof only as shall be affected by proposed amendments, shall be inserted on the journal.

Before any ordinance or resolution, having the force of law, shall be presented for the signature of the President, the same shall be fairly enrolled under the direction of the Secretary, and such enrollment shall be carefully compared and examined with the ordinance or resolution passed by the Convention and reported to be duly enrolled by a committee consisting of two members, to be appointed by the President, to be called "the Committee on Enrollments."

No proposed ordinance nor resolution, or other paper pending in the Convention, shall fall or be lost by reason of any recess or adjournment over, but the same shall be resumed and

acted upon at the reassembling of the Convention, in the same manner as if such adjournment or recess had not taken place.

The Secretary shall weekly prepare a statement or calendar, showing the condition and order of the business before the Convention, and shall have the same printed for the use of the members.

He also moved to amend the last rule now in force in the Convention, by inserting after the word "alteration," the words, "nor shall any rule be suspended."

The President announced the following committees:

*On Annual Elections and Sessions of the General Assembly:*  
Messrs. Howard, Osborne, Battle of Wake, Thornton and Gilmer.

*On the 46th Section of the Constitution:* Messrs. Rayner, Merritt, Berry, Royster and Hicks.

On motion of Mr. Ellison, the resolution heretofore introduced by him, in relation to the time of holding the daily sessions of the Convention, was taken up for consideration.

Mr. Jones, of Rowan, moved to amend by striking out that part relating to afternoon sessions, which was not agreed to.

The resolution was then amended so as to provide that the sessions shall commence at 10 o'clock, A. M., with a recess from 2 to 4, P. M.

The question now recurring upon the adoption of the resolution as amended, the ayes and noes were ordered, on motion of Mr. Ellison, and resulted as follows:

AYES—Messrs. Allison, Arrington, Armfield, Ashe, Batchelor, Battle of Edgecombe, Battle of Wake, Berry, Biggs, Bond, Brodnax, Brown, Bunting, Calloway, Cannon, Carson, Christian, Councill, Craige, Cunningham, Darden, Davidson, Dick, Dillard, Douthitt, Durham, Eller, Ellison, Ferebee, Foster of Ashe, Foy, Fuller, Gorrell, Graham, Green, Greenlee, Grimes, Hamlin, Hargrove, Hearne, Headen, Henkel, Hicks, Houston of Duplin, Houston of Union, Howard, Johnston of Gaston, Johnston of Mecklenburg, Jones of Caldwell, Lander, Leak of Anson, Leak of Richmond, Long, Mann, McDowell of Bladen, McDowell of Burke, McDowell of Madison, McNeill

of Cumberland, McNeill of Harnett, Miller, Mitchell, Moody, Moseley, Myers, Patterson, Phifer, Reid, Rhodes, Royster, Sanders, Satterthwaite, Shaw, Smith of Halifax, Smith of Macon, Speed, Sprouse, Spruill of Bertie, Spruill of Tyrrell, Stewart, Sutherland, Thomas of Carteret, Thompson, Thornton, Tracy, Turner, Venable, Ward, Warren, Washington, Wilson and Wooten—92.

NOES—Messrs. Badger, Edwards, Gilmer, Holden, Jones of Rowan, Meares, Osborne, Penland, Pettigrew, Rayner, Ruffin, Shipp, Smith of Johnston and Whitford—14.

So the resolution was agreed to.

Mr. Hicks offered the following, which was agreed to :

*Resolved*, That a committee of five be appointed to inquire into the propriety of so changing the Constitution of the State as to declare that those who have not reached the age of twenty-one years are ineligible to a seat in the lower branch of the General Assembly, and that those who are under the age of twenty-five years are ineligible to a seat in the Senate of the said General Assembly.

Mr. Speed offered the following, which was agreed to :

*Resolved*, That the committee on the election and sessions of the General Assembly be instructed to inquire into the expediency of so amending the State Constitution as to reduce the number of the Senate to thirty-two, and the classification of the same so as to elect one-third every two years, so that the entire body will be changed every six years ; if the elections for the House of Commons be biennially, or so that one-fourth shall be elected every year ; if the elections of the House of Commons be annually, so that the entire body shall be changed every four years. Also to inquire into the expediency of reducing the number of the House of Commons to one hundred.

Mr. Stewart offered the following, which lies over one day, under the rules :

*Resolved*, That no member shall be allowed to speak longer than twenty minutes on any subject until the permanent Constitution, the defense of the State, and the election of delegates to the Southern Congress shall have been disposed of.



Mr. Ward offered the following :

*Resolved*, That from and after Monday next, 10th instant, this Convention take a recess until the 22d of July, unless sooner convened by the proclamation of the President.

Mr. Hicks moved to amend by striking out the words, "22nd of July," and inserting the words, "first Monday in October."

Mr. Pettigrew moved that the whole subject lie on the table, on which the ayes and noes were ordered on motion of Mr. Foy, and resulted as follows :

AYES—Messrs. Allison, Arrington, Armfield, Badger, Batchelor, Battle of Edgecombe, Battle of Wake, Berry, Biggs, Bond, Cannon, Carson, Councill, Dick, Douthitt, Edwards, Ferebee, Fuller, Gilmer, Gorrell, Graham, Hamlin, Headen, Holden, Jones of Caldwell, Jones of Rowan, Kittrell, Lander, Long, Mitchell, Myers, Osborne, Penland, Pettigrew, Phifer, Rayner, Ruffin, Sanders, Satterthwaite, Smith of Halifax, Smith of Johnston, Smith of Macon, Sprouse, Spruill of Bertie, Spruill of Tyrrell, Thomas of Carteret, Turner, Warren, Washington, Wilson and Woodfin—51.

NOES—Messrs. Ashe, Brodnax, Brown, Bunting, Calloway, Christian, Craige, Cunningham, Darden, Davidson, Dillard, Durham, Eller, Ellison, Foster of Ashe, Foy, Green, Greenlee, Hargrove, Hearne, Henkel, Hicks, Houston of Duplin, Houston of Union, Howard, Johnston of Gaston, Johnston of Mecklenburg, Leak of Anson, Leak of Richmond, Mann, McDowell of Bladen, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, McNeill of Harnett, Moody, Mosely, Reid, Rhodes, Royster, Shaw, Speed, Stewart, Sutherland, Thompson, Thornton, Tracey, Venable, Walton, Ward and Wooten—53.

So the motion did not prevail.

Mr. Graham moved that the subject be referred to a select committee ; pending the consideration of which,

On motion, the lobbies and galleries were cleared, and the Convention sat with closed doors.

After some time spent therein, the doors were opened, and the Convention proceeded to the consideration of the ordinance to ratify the Constitution of the Confederate States of America,

and the amendments thereto proposed—the pending question being on the motion of Mr. Graham to postpone the further consideration of the subject until the first Monday in August next.

Without arriving at any conclusion thereon, by consent,

Mr. Rayner, from the Committee on Finance, to whom was referred an ordinance to provide for a Board of Claims, reported the same back to the Convention, with a proposed substitute therefor, which said substitute the committee recommended should pass.

The substitute then passed its first reading.

The President announced the following committee:

*On Ceding the Arsenal, at Fayetteville, to the Confederate States:* Messrs. Craige, Woodfin, Graham, Kittrell and McNeill of Cumberland.

On motion of Mr. Badger, the Convention adjourned.

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#### IN CONVENTION, WEDNESDAY, June 5, 1861.

The President took the chair and called the Convention to order. Prayer by the Rev. C. D. Smith, of the M. E. Church, South, and a Delegate from the county of Macon.

The journal of yesterday was read and approved.

John L. Holmes, Delegate from New Hanover, elected to fill the vacancy created by the resignation of Col. Robert H. Cowan, appeared, produced his credentials, and took his seat in the Convention.

On motion of Mr. Badger, the additional rules proposed by him on yesterday, were taken up and agreed to, and the Secretary was instructed to have the entire rules numbered and printed for the use of the Convention.

Mr. Stewart called up his resolution proposing to limit the speeches of members until certain business is disposed of; whereupon the same was ordered to lie on the table by a vote taken by ayes and noes, on the motion of Mr. Armfield, as follows:

AYES—Messrs. Allison, Arrington, Armfield, Badger, Barnes, Battle of Wake, Berry, Bond, Brown, Calloway, Cannon, Christian, Davidson, Dick, Douthitt, Edwards, Eller, Ferebee, Foster of Ashe, Foy, Gilmer, Gorrell, Graham, Hamlin, Hearne, Headen, Holden, Jones of Caldwell, Jones of Rowan, Long, Manning, McNeill of Harnett, Merritt, Mitchell, Osborne, Penland, Pettigrew, Phifer, Rayner, Ruffin, Sanders, Satterthwaite, Smith of Halifax, Smith of Johnston, Smith of Macon, Speed, Sprouse, Spruill of Bertie, Spruill of Tyrrell, Strong, Thomas of Carteret, Thornton, Turner, Venable, Walton, Warren, Washington, Whitford, Wilson and Woodfin—60.

NOES—Messrs. Ashe, Batchelor, Battle of Edgecombe, Biggs, Brodnax, Bunting, Carson, Councill, Cunningham, Darden, Dillard, Durham, Ellison, Fuller, Green, Greenlee, Grimes, Hargrove, Henkel, Hicks, Holmes, Houston of Duplin, Houston of Union, Johnston of Gaston, Johnston of Mecklenburg, Lander, Leak of Anson, Leak of Richmond, Mann, McDowell of Bladen, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, Miller, Moody, Moseley, Myers, Patterson, Reid, Rhodes, Royster, Stewart, Sutherland, Thompson, Tracy, Ward, Williams and Wooten—50.

On motion of Mr. Craige, the Convention proceeded to sit with closed doors; and after some time spent therein, the doors were opened, and the Convention proceeded with business in open session.

The President announced the following Committee on Enrollments: Messrs. Strong and Battle, of Wake.

The unfinished business of yesterday, being the ordinance to ratify the Constitution of the Confederate States, was then taken up for consideration, pending which,

Mr. Ruffin moved that the Convention adjourn. On this question the ayes and noes were ordered, on motion of Mr. Cunningham, and resulted as follows:

AYES—Messrs. Allison, Armfield, Badger, Barnes, Batchelor, Battle of Wake, Berry, Bond, Calloway, Cannon, Davidson, Dick, Edwards, Ellison, Ferebee, Gilmer, Gorrell, Graham, Hamlin, Headen, Holden, Jones of Rowan, Leak of Anson,

Long, Mann, Manning, McNeill of Cumberland, McNeill of Harnett, Merritt, Mitchell, Osborne, Penland, Pettigrew, Rayner, Ruffin, Satterthwaite, Smith of Halifax, Smith of Johnston, Spruill of Bertie, Spruill of Tyrrell, Sutherland, Thomas of Car., Walton, Warren, Washington, Whitford and Wooten—48.

NOES—Messrs. Arrington, Ashe, Battle of Edgecombe, Biggs, Brodnax, Brown, Bunting, Carson, Councill, Craige, Cunningham, Darden, Dillard, Douthitt, Durham, Foster of Ashe, Foy, Fuller, Green, Greenlee, Grimes, Hargrove, Hearne, Henkel, Hicks, Holmes, Houston of Duplin, Houston of Union, Howard, Johnston of Gaston, Jones of Caldwell, Lander, Leak of Richmond, McDowell of Bladen, McDowell of Burke, McDowell of Madison, Miller, Moody, Moseley, Myers, Phifer, Reid, Rhodes, Royster, Sanders, Shaw, Smith of Macon, Stewart, Strong, Thompson, Thornton, Tracy, Turner, Venable, Ward and Williams—56.

So the Convention refused to adjourn.

After further consideration,

Mr. Gilmer moved that the Convention adjourn; and on this question the ayes and noes were ordered on motion of Mr. Leak, of Richmond, and resulted as follows:

AYES—Messrs. Allison, Badger, Barnes, Berry, Bond, Calloway, Cannon, Davidson, Dick, Douthitt, Edwards, Eller, Ellison, Ferebee, Foy, Gilmer, Graham, Hamlin, Headen, Holden, Johnston of Mecklenburg, Jones of Caldwell, Jones of Rowan, Lander, Leak of Anson, Mann, Manning, McNeill of Cumberland, Merritt, Mitchell, Osborne, Penland, Pettigrew, Rayner, Satterthwaite, Shipp, Smith of Halifax, Smith of Johnston, Smith of Macon, Speed, Spruill of Bertie, Spruill of Tyrrell, Sutherland, Thomas of Carteret, Walton, Warren, Whitford, Wilson and Woodfin—50.

NOES—Messrs. Arrington, Ashe, Batchelor, Battle of Edgecombe, Battle of Wake, Biggs, Brodnax, Brown, Bunting, Carson, Christian, Councill, Craige, Cunningham, Darden, Dillard, Durham, Foster of Ashe, Fuller, Greenlee, Grimes, Hargrove, Hearne, Henkel, Hicks, Holmes, Houston of Union, Howard, Johnston of Gaston, Leak of Richmond, McDowell of

Bladen, McDowell of Burke, McDowell of Madison, McNeill of Harnett, Miller, Moody, Moseley, Myers, Phifer, Reid, Rhodes, Royster, Sanders, Shaw, Stewart, Strong, Thompson, Thornton, Tracy, Turner, Venable, Ward, Williams and Wooten—54.

After debate, on motion of Mr. Satterthwaite, the further consideration of the subject was postponed until to-morrow at 11 o'clock.

And then, on motion of Mr. Badger, the Convention adjourned.

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#### IN CONVENTION, THURSDAY, June 6, 1861.

The hour having arrived, the President took the chair and called the Convention to order. Prayer by Rev. P. C. Henkel, of the Lutheran Church, and member from Catawba County.

The journal of yesterday was read and approved.

Mr. Biggs offered the following, which lies over one day under the rules:

- *Resolved*, That this Convention, on the ——— next, at six o'clock, A. M., will adjourn its present session and take a recess until the first Monday in October next, at which time it will again convene: *Provided, however*, It may be sooner convened by the proclamation of the President or any five members of the Convention, in case of the death of the President.

Mr. Biggs offered the following, which passed its first reading:

*Resolved*, That the resolution of the General Assembly adjourning the extra session thereof until the 25th instant, be and the same is hereby repealed, and the said General Assembly shall meet in regular session at such time, during this year, as may be appointed by the Governor, of which he shall make proclamation.

*Resolved further*, That the Governor shall, by proclamation, immediately notify the members of the General Assembly of the adoption of the above resolution.

Mr. Smith, of Macon, offered the following, which was agreed to:

*Resolved*, That the Committee on Finance be instructed to inquire into the claims of Sheriffs for holding elections of members of the State Convention, and report an ordinance providing for their payment.

Mr. Wilson offered a resolution proposing a change in the Constitution, so as to elect Justices of the Peace by the qualified voters of the House of Commons, limiting their terms of service, &c., which lies over one day under the rule.

Mr. Hamlin offered a resolution proposing to change the Constitution, so as to allow citizen soldiers to vote for certain officers any where in the State ; which lies over one day under the rule.

Mr. Smith, of Johnston, offered a resolution on the same subject, which lies over one day also.

Mr. Armfield introduced a resolution in the nature of an ordinance, proposing to strike out that part of the State Constitution which prohibits "Clergymen and preachers of the Gospel" from holding office as members of the General Assembly or Councillors of State ; which lies over one day under the rule.

On motion of Mr. Green, the Convention then went into the consideration of the resolution and amendments relating to the election of Delegates to the Confederate Congress ; the question being the motion of Mr. Gorrell to strike out "five" and insert "eight."

After consideration, the motion to amend the amendment prevailed.

The hour of 11 o'clock having arrived, the Convention proceeded to the special order set therefor, the same being the ordinance to ratify the Constitution of the Confederate States ; the pending question being the motion of Mr. Graham to postpone the subject until the first Monday in August next, and the same was considered until the hour arrived for a recess until four o'clock, P. M.

4 O'CLOCK, P. M.

The Convention having re-assembled, the President laid before the Body a communication from His Excellency, the Governor, in response to a resolution, transmitting a copy of the "Articles of War for the government of the Army of the Confederate States," which was ordered to lie on the table.

The Convention then resumed the business last considered at the morning session, and after some time spent therein, by general consent, Mr. Graham withdrew the pending amendment, and in lieu thereof, introduced the following: "*Provided*, That full provision be made for the representation of North Carolina, in proportion to her population, as compared with that of the other States, in the election of electors for President and Vice President and members of Congress, in the election to be held prior to putting in operation the government established by said Constitution.

On this question the ayes and noes were ordered, on motion of Mr. Graham, and resulted as follows:

AYES—Messrs. Allison, Armfield, Battle of Wake, Berry, Bond, Calloway, Cannon, Christian, Davidson, Dick, Douthitt, Eller, Ellison, Ferebee, Gilmer, Gorrell, Graham, Holden, Jones of Caldwell, Kittrell, Long, Mann, Manning, Myers, Pettigrew, Rayner, Sanders, Smith of Johnston, Speed, Sprouse, Spruill of Bertie, Spruill of Tyrrell, Thomas of Carteret, Warren, Washington and Wilson—36.

NOES—Messrs. Arrington, Ashe, Badger, Barnes, Batchelor, Battle of Edgecombe, Biggs, Brodnax, Brown, Bunting, Carson, Councill, Craige, Cunningham, Darden, Dillard, Durham, Edwards, Foster of Ashe, Fuller, Green, Greenlee, Grimes, Hamlin, Hargrove, Hearne, Headen, Henkel, Hicks, Holmes, Houston of Duplin, Houston of Union, Howard, Johnston of Gaston, Johnston of Mecklenburg, Jones of Rowan, Lander, Leak of Anson, Leak of Richmond, McDowell of Bladen, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, McNeill of Harnett, Meares, Mebane, Merritt, Miller, Mitchell, Moody, Moseley, Osborne, Patterson, Penland, Phifer, Reid, Rhodes, Royster, Ruffin, Satterthwaite, Shaw, Shipp, Smith of

Halifax, Smith of Macon, Stewart, Strong, Sutherland, Thomas of Jackson, Thompson, Thornton, Tracy, Turner, Venable, Walton, Ward, Whitford, Williams, Woodfin and Wooten—79.

So the amendment did not prevail.

The amendment of Mr. Dick having been, by consent, withdrawn temporarily, to make the foregoing amendment of Mr. Graham in order, was now renewed, and on its adoption the ayes and noes were ordered, on motion of Mr. Dick, and resulted as follows:

AYES—Messrs. Allison, Armfield, Battle of Wake, Berry, Bond, Calloway, Cannon, Christian, Councill, Davidson, Dick, Douthitt, Eller, Ellison, Ferebee, Gilmer, Gorrell, Graham, Headen, Holden, Jones of Caldwell, Kittrell, Long, Mann, Manning, Merritt, Mitchell, Sanders, Smith of Johnston, Smith of Macon, Speed, Sprouse, Spruill of Bertie, Spruill of Tyrrell, Thomas of Carteret, Walton, Warren and Wilson—38.

NOES—Messrs. Arrington, Ashe, Badger, Barnes, Batchelor, Battle of Edgecombe, Biggs, Brodnax, Brown, Bunting, Carson, Craige, Cunningham, Darden, Dillard, Durham, Edwards, Foster of Ashe, Foy, Fuller, Green, Greenlee, Grimes, Hamlin, Hargrove, Hearne, Henkel, Hicks, Holmes, Houston of Duplin, Houston of Union, Howard, Johnston of Gaston, Johnston of Mecklenburg, Jones of Rowan, Lander, Leak of Anson, Leak Richmond, McDowell of Bladen, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, McNeill of Harnett, Meares, Mebane, Miller, Moody, Moseley, Myers, Osborne, Patterson, Penland, Phifer, Rayner, Reid, Rhodes, Royster, Ruffin, Satterthwaite, Shaw, Shipp, Smith of Halifax, Stewart, Strong, Sutherland, Thomas of Jackson, Thompson, Thornton, Tracy, Turner, Venable, Ward, Washington, Whitford, Williams, Woodfin and Wooten—75.

So the amendment was not agreed to.

Mr. Warren offered the following amendment, to come in at the end of the ordinance:

“Declaring, nevertheless, that as the power conferred through said Constitution on the Confederate Government emanates from



the people of the several States in their separate sovereign capacity, said powers may be rescinded in the same manner in which they are delegated, whenever they shall be perverted to the injury of the people; each State, by her delegates in Convention, having the right to judge of the occasion that may require such action."

On this question the ayes and noes were ordered, on motion of Mr. Warren, and resulted as follows:

AYES—Messrs. Allison, Barnes, Batchelor, Battle of Edgecombe, Battle of Wake, Bond, Calloway, Cannon, Christian, Councill, Dillard, Eller, Green, Hicks, Houston of Duplin, Mann, McDowell of Bladen, Mitchell, Moseley, Shaw, Speed, Spruill of Bertie, Strong, Thompson, Warren and Whitford—26.

NOES—Messrs. Armfield, Arrington, Ashe, Badger, Berry, Biggs, Brodnax, Brown, Bunting, Carson, Craige, Cunningham, Darden, Davidson, Dick, Douthitt, Durham, Edwards, Ellison, Ferebee, Foster of Ashe, Fuller, Gilmer, Gorrell, Graham, Greenlee, Grimes, Hamlin, Hargrove, Hearne, Headen, Henkel, Holden, Holmes, Houston of Union, Howard, Johnston of Gaston, Johnston of Mecklenburg, Jones of Caldwell, Jones of Rowan, Kittrell, Lander, Leak of Anson, Leak of Richmond, Long, Manning, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, McNeill of Harnett, Meares, Mebane, Merritt, Miller, Moody, Myers, Osborne, Penland, Pettigrew, Phifer, Rayner, Reid, Rhodes, Royster, Ruffin, Sanders, Satterthwaite, Shipp, Smith of Halifax, Smith of Johnston, Smith of Macon, Sprouse, Spruill of Tyrrell, Stewart, Sutherland, Thomas of Carteret, Thomas of Jackson, Thornton, Tracy, Turner, Venable, Walton, Ward, Washington, Williams, Wilson, Woodfin and Wooten—88.

So the amendment was not agreed to.

The question then recurring on the amendment recommended by the committee.

Mr. Ruffin moved to amend the same by adding to the first clause thereof, the words, "the terms of which appears in a schedule hereto annexed," which was agreed to.

As amended, the amendment proposed by the committee was then agreed to, upon a call of the ayes and noes, ordered on the motion of Mr. Spruill, of Bertie, as follows:

AYES—Messrs. Allison, Armfield, Badger, Barnes, Batchelor, Battle of Edgecombe, Battle of Wake, Berry, Bond, Brodnax, Brown, Cannon, Christian, Cunningham, Darden, Davidson, Dick, Douthitt, Eller, Ellison, Ferebee, Fuller, Gilmer, Gorrell, Graham, Grimes, Hearne, Headen, Hicks, Holden, Houston of Union, Howard, Johnston of Mecklenburg, Jones of Caldwell, Jones of Rowan, Kittrell, Leak of Anson, Leak of Richmond, Long, Mann, Manning, McDowell of Madison, McNeill of Harnett, Mebane, Merritt, Mitchell, Myers, Osborne, Patterson, Penland, Pettigrew, Phifer, Rayner, Rhodes, Ruffin, Sanders, Satterthwaite, Shipp, Smith of Halifax, Smith of Johnston, Smith of Macon, Speed, Sprouse, Spruill of Bertie, Spruill of Tyrrell, Stewart, Strong, Thomas of Carteret, Thomas of Jackson, Turner, Walton, Warren, Washington, Whitford and Wilson—76.

NOES—Messrs. Arrington, Ashe, Biggs, Bunting, Calloway, Carson, Councill, Craige, Dillard, Durham, Edwards, Foster of Ashe, Foy, Green, Greenlee, Hamlin, Hargrove, Henkel, Holmes, Houston of Duplin, Johnston of Gaston, McDowell of Bladen, McDowell of Burke, McNeill of Cumberland, Meares, Miller, Moody, Moseley, Reid, Royster, Shaw, Sutherland, Thompson, Thornton, Tracy, Venable, Ward, Williams, Winslow, Woodfin and Wooten—41.

The question then recurring upon the ordinance as amended, the ayes and noes were ordered, on motion of Mr. Spruill, of Bertie, and resulted as follows, being unanimously in the affirmative:

AYES—Messrs. Allison, Arrington, Armfield, Ashe, Badger, Barnes, Batchelor, Battle of Edgecombe, Battle of Wake, Berry, Biggs, Bond, Brodnax, Brown, Bunting, Calloway, Cannon, Carson, Christian, Councill, Craige, Cunningham, Darden, Davidson, Dick, Dillard, Douthitt, Durham, Edwards, Eller, Ellison, Ferebee, Foster of Ashe, Foy, Fuller, Gilmer, Gorrell, Graham, Green, Greenlee, Grimes, Hamlin, Hargrove, Hearne,

Headen, Henkel, Hicks, Holden, Holmes, Houston of Duplin, Houston of Union, Howard, Johnston of Gaston, Johnston of Mecklenburg, Jones of Caldwell, Jones of Rowan, Kittrell, Lander, Leak of Anson, Leak of Richmond, Long, Mann, Manning, McDowell of Bladen, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, McNeill of Harnett, Meares, Mebane, Merritt, Miller, Mitchell, Moody, Moseley, Myers, Osborne, Patterson, Penland, Pettigrew, Phifer, Rayner, Reid, Rhodes, Royster, Ruffin, Sanders, Satterthwaite, Shaw, Shipp, Smith of Halifax, Smith of Johnston, Smith of Macon, Speed, Sprouse, Spruill of Bertie, Spruill of Tyrrell, Stewart, Strong, Sutherland, Thomas of Carteret, Thomas of Jackson, Thompson, Thornton, Tracy, Turner, Venable, Walton, Ward, Warren, Washington, Whitford, Williams, Wilson, Winslow, Woodfin and Wooten—117.

Then, by universal consent, the ordinance was put on its third reading, passed, and was ordered to be enrolled.

And then, on motion of Mr. Badger, the Convention adjourned.

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#### IN CONVENTION, FRIDAY, June 7, 1861.

The President took the chair and called the Convention to order.

The journal of yesterday was read and approved.

Mr. Headen offered the following, which lies over one day :

*Resolved*, That a committee be appointed to inquire if any, and if any, what amendments are proposed to be made to the Constitution of the State, in relation to the property qualifications for office, and that they report by ordinance or otherwise.

Mr. Graham offered the following, which lies over one day under the rule :

*Resolved*, That the Comptroller of public accounts be directed to lay before this Convention a tabular statement, exhibiting the public taxes paid into the Treasury from each county for the five years preceding the first day of November, 1860, distinguishing the several subjects from which such taxes were

derived, and the amount received from each subject respectively in each year.

Mr. Thomas, of Jackson, offered the following, which lies over one day under the rule :

*Resolved*, That the committee on Military Affairs be instructed to inquire into the expediency of sanctioning, by the passing of an ordinance or resolution, the appointment of additional clerks to aid in the execution of the laws of the Military Board, Adjutant and Assistant Adjutant General, Quartermaster and Assistant Quartermaster General, and that they report a resolution or ordinance to effect the object, if by them deemed advisable, to promote the public interest.

Mr. Houston, of Duplin, offered the following, which was agreed to :

*Resolved*, That the committee on Finance be instructed to inquire whether the act of the last General Assembly, authorizing and providing for the issue of Treasury notes, ought not to be, in some respects, modified or altered by this Convention, and that they report what alterations are necessary at as early a day as practicable.

Mr. Ashe presented the following :

WHEREAS, This Convention did, on the sixth day of June, 1861, ratify and adopt the Constitution of the Confederate States of America, adopted by the delegates of the States of South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana and Texas, in Convention assembled, at Montgomery, in the State of Alabama, on the eleventh day of March, 1861, and subsequently ratified by said States; and to avoid all misapprehensions as to our opinion in regard to the form of government thus inaugurated, and believing that this declaration is consistent with said Constitution, this Convention *doth now declare*, that as the powers conferred through said Constitution on the Confederate Government emanated from the people of the several States, in their separate sovereign capacity, said powers may be resumed in the same manner in which they were delegated, whenever they shall be perverted to the injury of the people, each State, by her delegates in Convention, having the right to judge of the occasion that may require such action.

Mr. Ashe moved that the rules be suspended in order that the Convention may now consider the resolution, and on this motion the ayes and noes were ordered, and resulted as follows: Ayes 49, noes 53.

AYES—Messrs. Arrington, Ashe, Batchelor, Battle of Edgecombe, Biggs, Carson, Craige, Cunningham, Darden, Dillard, Durham, Edwards, Foy, Fuller, Green, Grimes, Hargrove, Hicks, Holmes, Houston of Duplin, Johnston of Gaston, Lander, Leak of Richmond, McDowell of Bladen, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, McNeill of Harnett, Miller, Moody, Moseley, Penland, Phifer, Reid, Rhodes, Royster, Ruffin, Shaw, Stewart, Strong, Sutherland, Thompson, Thornton, Tracy, Turner, Ward, Williams, Woodfin and Wooten—49.

NOES—Messrs. Allison, Armfield, Badger, Barnes, Battle of Wake, Berry, Bond, Brodnax, Calloway, Cannon, Christian, Councill, Davidson, Dick, Douthitt, Eller, Ellison, Foster of Ashe, Gilmer, Gorrell, Graham, Greenlee, Hamlin, Headen, Hearne, Holden, Houston of Union, Johnston of Mecklenburg, Jones of Rowan, Leak of Anson, Long, Mann, Manning, Merritt, Myers, Patterson, Rayner, Sanders, Satterthwaite, Smith of Halifax, Smith of Johnston, Smith of Macon, Speed, Sprouse, Spruill of Bertie, Spruill of Tyrrell, Thomas of Carteret, Walton, Warren, Washington, Whitford and Wilson—53.

Two-thirds not voting therefor, the rule was not suspended.

On motion, the resolutions introduced yesterday by Messrs. Smith of Macon, Wilson, Hamlin, Smith of Johnston and Armfield, were severally referred to appropriate committees.

On motion of Mr. Gorrell, four thousand copies of the Rules of War for the army of the Confederate States were ordered to be printed for the use of the volunteer force of this State.

On motion of Mr. Green, the resolution relating to the appointment of delegates to the Confederate Congress, was then taken up.

Mr. Spruill, of Bertie, offered the following amendment thereto, "that eight delegates be elected by the people, one from each Congressional District, and two for the State at large, to be elected by this Convention."

Pending the consideration of which, on motion, the whole subject was referred to a select committee, consisting of Messrs. Green, Spruill of Bertie and Barnes.

The ordinance in relation to a Board of Claims was then up, when Mr. Spruill, of Bertie, moved to recommit, with instructions "to report an amendment striking out the names of the members of the board, and referring their selection to a vote of this Convention," which was agreed to.

Mr. Thomas, of Jackson, offered the following, which was agreed to:

*Resolved*, That a committee of seven be appointed to inquire into the expediency of amending the 41st section of the Constitution in relation to Common Schools.

On motion of Mr. Smith, of Halifax, the ordinance in relation to the defence of the seaboard counties was then taken up on its third reading, whereupon the Convention proceeded to sit with closed doors, and so continued until the hour of recess.

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4 O'CLOCK, P. M.

The Convention re-assembled with closed doors, the same being its condition at the hour of recess, and so remained until a late period of the session, when the doors were opened.

Mr. Thomas, of Jackson, moved that the Convention adjourn.

On this question the ayes and noes were ordered, on motion of Mr. Barnes, and resulted as follows: Ayes 34, noes 69.

AYES—Messrs. Allison, Batchelor, Battle of Edgecombe, Bunting, Darden, Dillard, Edwards, Eller, Gorrell, Grimes, Holmes, Houston of Duplin, Howard, Johnston of Gaston, Jones of Rowan, Lander, McDowell of Madison, McNeill of Cumberland, McNeill of Harnett, Merritt, Mitchell, Osborne, Patterson, Penland, Ruffin, Shaw, Sutherland, Thomas of Jackson, Thompson, Tracy, Turner, Williams, Woodfin and Wooten—34.

NOES—Messrs. Armfield, Arrington, Badger, Barnes, Battle of Wake, Berry, Biggs, Bond, Brodnax, Brown, Calloway, Cannon, Carson, Christian, Councill, Cunningham, Davidson,

Dick, Douthitt, Durham, Ellison, Ferebee, Foster of Ashe, Foster of Randolph, Foy, Fuller, Graham, Green, Greenlee, Hamlin, Hargrove, Headen, Hearne, Hicks, Holden, Houston Union, Jones of Caldwell, Kittrell, Long, Manning, McDowell of Burke, Mebane, Miller, Moody, Moseley, Pettigrew, Phifer, Rayner, Reid, Royster, Sanders, Satterthwaite, Smith of Halifax, Smith of Johnston, Smith of Macon, Speed, Sprouse, Spruill of Bertie, Spruill of Tyrrell, Stewart, Strong, Thomas of Carteret, Thornton, Venable, Walton, Ward, Washington, Whitford and Wilson—69.

So the Convention refused to adjourn.

The ordinance for the defense of the seaboard counties of the State, having been further considered,

Mr. Howard moved that the Convention adjourn, which was not agreed to, upon a call of the ayes and noes, ordered on motion of Mr. Foy, as follows:

AYES—Messrs. Allison, Battle of Edgecombe, Bunting, Carson, Darden, Edwards, Fuller, Holmes, Houston of Duplin, Howard, Johnston of Gaston, Johnston of Mecklenburg, Jones of Rowan, Kittrell, Lander, Manning, McDowell of Madison, McNeill of Cumberland, McNeill of Harnett, Merritt, Osborne, Patterson, Penland, Phifer, Rayner, Reid, Rhodes, Ruffin, Satterthwaite, Shaw, Stewart, Strong, Sutherland, Thomas of Jackson, Thompson, Thornton, Tracy, Turner, Walton, Williams, Woodfin and Wooten—42.

NOES—Messrs. Armfield, Arrington, Badger, Barnes, Batchelor, Battle of Wake, Berry, Biggs, Bond, Brown, Calloway, Cannon, Councill, Cunningham, Davidson, Dick, Dillard, Douthitt, Durham, Ellison, Ferebee, Foster of Ashe, Foster of Randolph, Foy, Gorrell, Graham, Greenlee, Grimes, Hargrove, Headen, Hearne, Hicks, Holden, Jones of Caldwell, Long, McDowell of Burke, Meares, Miller, Moody, Moseley, Pettigrew, Royster, Sanders, Smith of Halifax, Smith of Johnston, Smith of Macon, Speed, Sprouse, Spruill of Bertie, Spruill of Tyrrell, Thomas of Carteret, Venable, Ward, Washington, Whitford and Wilson—56.

Mr. Thomas, of Carteret, then moved the following amendment to the ordinance under consideration—strike out all after the ordaining clause and insert as follows: “That the Governor be instructed to have detailed one regiment of cavalry, one regiment of artillery, and four regiments of infantry, either volunteers or State troops, of those already raised or to be raised, for the defense of the seacoast of the State,” which was not agreed to.

Mr. Houston, of Duplin, moved that the whole subject be laid on the table, on which the ayes and noes were ordered, on motion of Mr. Speed, and resulted as follows:

AYES—Messrs. Biggs, Bunting, Carson, Cunningham, Darden, Durham, Edwards, Hargrove, Houston of Duplin, Johnston of Gaston, Jones of Rowan, Lander, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, Moseley, Osborne, Penland, Reid, Rhodes, Royster, Shaw, Stewart, Strong, Sutherland, Thomas of Jackson, Thompson, Thornton, Tracy, Williams, Woodfin and Wooten—33.

NOES—Messrs. Allison, Armfield, Arrington, Badger, Barnes, Batchelor, Battle of Edgecombe, Battle of Wake, Berry, Bond, Brown, Calloway, Cannon, Christian, Councill, Davidson, Dick, Dillard, Douthitt, Eller, Ellison, Ferebee, Foster of Ashe, Foster of Randolph, Foy, Gorrell, Graham, Greenlee, Headen, Hearne, Hicks, Holden, Holmes, Houston of Union, Howard, Long, Manning, McNeill of Harnett, Meares, Merritt, Miller, Moody, Pettigrew, Phifer, Ruffin, Sanders, Satterthwaite, Smith of Halifax, Smith of Johnston, Smith of Macon, Speed, Sprouse, Spruill of Bertie, Spruill of Tyrrell, Thomas of Carteret, Turner, Venable, Walton, Ward, Washington, Whitford and Wilson—61.

So the motion did not prevail.

Mr. Batchelor moved that the subject be postponed till Tuesday next, and be made the special order for twelve o'clock on that day.

On this the ayes and noes were ordered, on motion of Mr. Badger, and resulted in the negative, as follows:



AYES—Messrs. Ashe, Batchelor, Battle of Edgecombe, Biggs, Bunting, Carson, Cunningham, Darden, Dillard, Durham, Edwards, Hargrove, Holmes, Howard, Johnston of Gaston, Jones of Rowan, Lander, McDowell of Burke, McDowell of Madison, McNeill of Harnett, Moody, Myers, Osborne, Penland, Phifer, Reid, Rhodes, Royster, Ruffin, Shaw, Strong, Thomas of Jackson, Thornton, Tracy, Turner, Venable and Woodfin—37.

NOES—Messrs. Allison, Armfield, Arrington, Badger, Barnes, Battle of Wake, Berry, Bond, Brown, Calloway, Cannon, Christian, Councill, Davidson, Dick, Douthitt, Eller, Ellison, Ferebee, Foster of Ashe, Foster of Randolph, Foy, Fuller, Gorrell, Graham, Green, Greenlee, Hamlin, Headen, Holden, Long, Mann, Manning, Meares, Merritt, Miller, Moseley, Pettigrew, Rayner, Sanders, Satterthwaite, Smith of Halifax, Smith of Johnston, Smith of Macon, Speed, Sprouse, Spruill of Bertie, Spruill of Tyrrell, Stewart, Sutherland, Thomas of Carteret, Walton, Ward, Warren, Washington, Whitford, Williams and Wilson—58.

Mr. Shaw moved that the Convention do now adjourn, and on this motion, the ayes and noes were ordered, on motion of Mr. Badger, and resulted as follows:

AYES—Messrs. Ashe, Batchelor, Battle of Edgecombe, Biggs, Bunting, Carson, Darden, Durham, Edwards, Gorrell, Greenlee, Holmes, Houston of Duplin, Howard, Johnston of Gaston, Jones of Rowan, Lander, Long, McDowell of Burke, McDowell of Madison, Miller, Osborne, Penland, Reid, Rhodes, Ruffin, Shaw, Stewart, Strong, Thomas of Jackson, Thornton, Tracy, Turner, Venable, Williams and Woodfin—36.

NOES—Messrs. Allison, Armfield, Arrington, Badger, Barnes, Battle of Wake, Berry, Bond, Brown, Calloway, Cannon, Christian, Councill, Cunningham, Davidson, Dick, Dillard, Douthitt, Eller, Ellison, Ferebee, Foster of Ashe, Foster of Randolph, Foy, Fuller, Graham, Green, Grimes, Hamlin, Hargrove, Headen, Holden, Mann, Manning, McNeill of Harnett, Meares, Merritt, Moseley, Myers, Pettigrew, Royster, Sanders, Satterthwaite, Smith of Halifax, Smith of Johnston, Smith of Macon, Speed, Sprouse, Spruill of Bertie, Spruill of Tyrrell,

Sutherland, Thomas of Carteret, Walton, Ward, Warren, Washington, Whitford and Wilson—57.

So the Convention refused to adjourn.

Mr. Thomas, of Jackson, moved to amend the ordinance under consideration, by an additional section, as follows:

*Be it further ordained*, That the Governor be, and he is hereby authorized to raise from the counties west of the Blue Ridge, three regiments of volunteers to aid in defending the passes in the Iron or Smoky Mountain, for the purpose of preventing western North Carolina from falling into the hands of the enemy,

And it was not agreed to.

Mr. Howard moved the following as a substitute for the ordinance:

*Be it ordained*, That the Governor be, and he is hereby authorized and requested to issue his proclamation, calling for four regiments—one of cavalry and three of infantry—from the counties of Northampton and Brunswick, and the counties lying on and east of the Wilmington and Weldon Railroad, to be detailed specially for coast defense; the said volunteers to be a part of the volunteers called for by the Act of the General Assembly, entitled “An Act to provide for the public defense,” and to be subject to all the provisions of said Act.

On this amendment the ayes and noes were ordered, on motion of Mr. Thomas, of Jackson, and resulted in the negative, as follows:

AYES—Messrs. Ashe, Biggs, Brown, Bunting, Carson, Cunningham, Darden, Dillard, Durham, Edwards, Fuller, Hargrove, Holmes, Howard, Johnston of Gaston, Jones of Rowan, Lander, McDowell of Burke, McDowell of Madison, Miller, Moseley, Myers, Osborne, Penland, Phifer, Reid, Rhodes, Royster, Shaw, Stewart, Strong, Sutherland, Thomas of Jackson, Thornton, Tracy, Turner, Venable, Ward and Woodfin—38.

NOES—Messrs. Allison, Armfield, Arrington, Badger, Barnes, Batchelor, Battle of Edgecombe, Battle of Wake, Berry, Bond, Calloway, Cannon, Christian, Councill, Davidson, Dick, Douthitt, Ellison, Ferebee, Foster of Ashe, Foy, Gorrell, Graham,

Green, Greenlee, Hamlin, Headen, Hicks, Holden, Houston of Union, Long, Mann, Manning, McNeill of Harnett, Meares, Merritt, Pettigrew, Ruffin, Sanders, Satterthwaite, Smith of Halifax, Smith of Johnston, Smith of Macon, Speed, Sprouse, Spruill of Bertie, Spruill of Tyrrell, Walton, Warren, Washington, Whitford, Williams and Wilson—54.

So the substitute was not agreed to.

The question recurring upon the passage of the ordinance upon its third reading,

Mr. Pettigrew moved to amend by striking out the following words: "Provided the same can be raised from that portion of the State, and if not, then from any other portion of the State," which was agreed to.

Mr. Ruffin moved to amend by striking out the words, "one regiment of artillery," which was agreed to; and on his motion, the number of infantry was increased to four regiments instead of three.

Mr. Barnes offered the following amendment, which was agreed to: "Provided the Governor be permitted to retain the volunteers now stationed at the various points, or ordered there, as a portion of the proposed regiments."

The question again recurring upon the passage of the ordinance on its third reading, the ayes and noes were ordered, on motion of Mr. Thomas, of Jackson, and resulted as follows:

AYES—Messrs. Allison, Armfield, Arrington, Badger, Barnes, Battle of Wake, Berry, Bond, Brown, Calloway, Cannon, Christian, Councill, Davidson, Dick, Dillard, Douthitt, Eller, Ellison, Ferebee, Foster of Ashe, Foster of Randolph, Foy, Fuller, Gorrell, Graham, Green, Grimes, Hamlin, Headen, Hicks, Holden, Holmes, Jones of Caldwell, Long, Mann, Manning, McNeill of Harnett, Merritt, Myers, Pettigrew, Sanders, Satterthwaite, Smith of Halifax, Smith of Johnston, Smith of Macon, Speed, Sprouse, Spruill of Bertie, Spruill of Tyrrell, Thomas of Carteret, Venable, Walton, Ward, Warren, Washington, Whitford and Wilson—58.

NOES—Messrs. Batchelor, Battle of Edgecombe, Biggs, Bunting, Carson, Cunningham, Darden, Durham, Edwards, Green-

lee, Hargrove, Hearne, Houston of Union, Howard, Johnston of Gaston, Lander, McDowell of Burke, McDowell of Madison, Miller, Moseley, Osborne, Penland, Rayner, Reid, Rhodes, Royster, Ruffin, Shaw, Stewart, Strong, Sutherland, Thomas of Jackson, Thornton, Tracy, Turner, Williams and Woodfin—36.

So the ordinance passed its third reading, and was ordered to be enrolled.

On motion of Mr. Badger, the Convention adjourned.

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### IN CONVENTION, SATURDAY, June 8, 1861.

The President took the chair and called the Convention to order. Prayer by Rev. H. H. Durant, of the M. E. Church, South, and chaplain of the 5th regiment S. C. V.

The journal of yesterday was read and approved.

The President announced the following committees:

*On Soldiers' Suffrage*: Messrs. Smith of Johnston, Holmes, Jones of Rowan, Cunningham and Arrington.

*On 31st Section of the Constitution*: Messrs. Armfield, Leak of Richmond, Thomas of Jackson, Brown and Stewart.

Messrs. Houston, of Duplin, and Thompson, asked and obtained leave to have it stated on the journal that if present yesterday on the passage of the ordinance relating to seaboard defenses, they would have voted in the negative.

On motion of Mr. Myers, leave of absence was granted to Mr. Leak, of Anson, for three days.

Mr. Batchelor obtained leave of absence for two days.

Mr. Moody obtained leave to have it recorded that he would have voted "aye" on the passage of the ordinance relating to the coast defenses.

Mr. Ferebee offered a resolution in the nature of an ordinance to establish a Court of Claims, which lies over one day for consideration.

Mr. Washington offered the following, which lies over one day:

*Resolved*, That the Assistant Adjutant General report to this Convention, on Wednesday next, the number of companies, each, volunteer and State troops, that have been tendered and received, with the names of the officers; also the number in each company, and where stationed, up to the 7th inst.; also the number of companies of each kind that have been tendered and that were not full up to the same time, and from what counties.

*Resolved*, That he report, at the same time, what has been done and what progress made in organizing the militia of this State.

On motion of Mr. Biggs, it was agreed, by unanimous consent, that, after the hour of recess to-day, the Convention will not meet again until Monday.

Mr. Thomas, of Jackson, offered the following, which lies over one day under the rule:

*Resolved*, That the committee on taxation and revenue inquire into the expediency of changing the basis of representation, so as to make it conform to any change that may be made in the mode of taxation.

Mr. Spruill, of Bertie, from the committee on the resolution relating to the election of delegates to the Confederate Congress, made a report, which, the rules having been suspended, the Convention proceeded to consider. The following is the resolution reported by the committee:

*Resolved*, That the Convention will, on Wednesday next, at 12 o'clock, proceed to elect, *viva voce*, two deputies to represent the State at large in the Congress of the Confederate States of America, and will provide by ordinance, for the election, by the people, of eight other deputies, one from each of the Congressional districts as they now exist by law.

Mr. Osborne moved to amend as follows: Strike out all after the word "and," in the fourth line, and insert, "that the Convention elect eight other deputies to the Confederate Congress, one from each of the Congressional districts of the State, as those districts are now arranged by law, and the election of the eight deputies for the Congressional districts, to be by separate *viva voce* vote."

Mr. Speed moved the following, which was not agreed to: Provided that this Convention will not elect any member of this Convention to represent the State of North Carolina in the Provisional Congress of the Confederate States.

Mr. Wilson moved to amend by striking out all of said resolution which provides for representatives from the State at large, which was not agreed to.

Mr. Biggs offered the following amendment: Strike out all after the word "resolved," and insert as follows: "That this Convention will proceed, on Wednesday next, at 12 o'clock, M., to the election of five Commissioners to represent this State in the Congress of the Confederate States of America," which was not agreed to.

The question recurring on the amendment of Mr. Osborne, the ayes and noes were ordered thereon, on motion of Mr. Spruill, of Bertie, and resulted in the affirmative, as follows:

AYES—Messrs. Arrington, Ashe, Badger, Barnes, Batchelor, Battle of Edgecombe, Biggs, Brown, Bunting, Carson, Council, Darden, Durham, Fuller, Gorrell, Greenlee, Grimes, Hamlin, Hearne, Hicks, Holmes, Houston of Duplin, Houston of Union, Johnston of Gaston, Johnston of Mecklenburg, Jones of Caldwell, Jones of Rowan, Lander, Leak of Richmond, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, McNeill of Harnett, Meares, Mebane, Miller, Moody, Moseley, Osborne, Patterson, Penland, Phifer, Rayner, Reid, Rhodes, Ruffin, Satterthwaite, Smith of Halifax, Stewart, Sutherland, Tracy, Turner, Venable, Ward, Washington, Williams, Woodfin and Wooten—59.

NOES—Messrs. Allison, Armfield, Battle of Wake, Berry, Bond, Brodnax, Calloway, Cannon, Davidson, Dick, Dillard, Douthitt, Eller, Ellison, Ferebee, Foster of Ashe, Foster of Randolph, Graham, Hargrove, Headen, Holden, Kittrell, Long, Mann, Manning, Merritt, Mitchell, Pettigrew, Sanders, Shaw, Shipp, Smith of Johnston, Smith of Macon, Speed, Sprouse, Spruill of Bertie, Strong, Thomas of Carteret, Thomas of Jackson, Thompson, Thornton, Walton, Warren and Wilson—43.

The resolution, as amended, then passed its second reading.

The rules being suspended, the resolution was put on its third reading, passed and ordered to be enrolled.

Mr. Rayner, from the Committee on Finance, made a report on the ordinance recommitted, with instructions, proposing a substitute therefor, which, by consent, having been read the second time, Mr. Ruffin moved to fill the blank in the third section with the words, "fifteenth day of March."

Mr. Smith, of Halifax, moved that the ordinance be recommitted.

Pending the consideration of which, the floor was yielded to Mr. Fuller, who moved to reconsider the vote of yesterday, by which the Convention passed the ordinance to provide for the seaboard defense.

The motion of Mr. Smith, of Halifax, was then further considered, until the hour arrived, and the Convention adjourned to 10 o'clock Monday morning.

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#### IN CONVENTION, MONDAY, June 10, 1861.

The President called the Convention to order.

The journal of Saturday was read and approved.

James E. Williamson, delegate elect from Caswell County to fill the vacancy occasioned by the resignation of Captain John A. Graves, appeared, produced his credentials, and took his seat.

The President announced the following committees:

*On Basis of Representation:* Messrs. Thomas of Jackson, Brown, Sanders, Holmes and Carson.

*On Constitutional Amendments in regard to Common Schools:* Messrs. Thomas of Jackson, Brodnax, Battle of Wake, Miller and Bunting.

Wm. Johnston, Esq., one of the delegates from Mecklenburg, tendered his resignation, to take effect from and after Friday next, the urgency of his duties as Commissary General making it necessary.

On motion of Mr. Osborne, the President was directed to issue his writ of election to the Sheriff to hold an election to fill the vacancy thus created on Saturday, 15th inst.

Mr. Reid, from the committee on the meeting of the General Assembly, made a report, accompanied by an ordinance, providing for a *regular* session of the Legislature on the 25th inst., which lies over, under the rule, and was ordered to be printed.

Mr. Ferebee made a minority report from the same committee.

On motion of Mr. Manning, the two reports were made the order of the day for to-morrow at 12 o'clock.

Mr. Howard, from the Committee on Military Affairs, reported back to the Convention the resolution in relation to six months volunteers, proposing certain amendments thereto, and recommending its passage.

Mr. Biggs offered a resolution fixing the compensation of the officers of the Convention, and providing for the auditing the expenses contingent upon its sessions, which lies over one day for consideration.

Mr. Kittrell offered a resolution asking certain information of the Governor in relation to the reported landing of Lincoln's troops upon the coast of this State; which, by consent, was immediately considered and agreed to.

Mr. Sprouse offered a resolution proposing a committee to inquire into the propriety of some constitutional amendment in relation to free persons of color; which lies over one day under the rule.

Mr. Smith, of Macon, introduced an ordinance to authorize the Governor to raise three regiments from counties west of the Blue Ridge, to defend the passes of the Iron or Smoky Mountains, which lies over one day under the rules, and was ordered to be printed.

Mr. Ellison offered a resolution proposing to raise a committee to inquire into the propriety of substituting the words, "free white persons," in the place of "freemen," in the bill of rights; and also, whether amendments to the Constitution are not necessary in regard to free persons of color; which lies over one day, and was ordered to be printed.



On motion of Mr. Biggs, the resolution providing for a recess of the Convention, was then taken up and made the order of the day for to-morrow at 4 o'clock, P. M.

Mr. Battle, of Wake, offered a resolution proposing certain amendments to the rules, which lies over one day.

The ordinance pending yesterday at the hour of recess, was then considered, the pending question being the motion to re-commit; when, by consent, Mr. Myers offered an amendment to the ordinance, which, together with the whole subject, was re-committed to the committee.

The resolution of Mr. Headen in regard to the property qualifications for office, was then taken up and agreed to.

Mr. Ferebee's resolution in regard to a Court of Claims was then taken up, and, on motion of Mr. Badger, ordered to lie on the table.

The resolution in regard to the basis of Representation, the resolution relating to the payment of Sheriffs for holding elections for members of the Convention, and the resolution asking information of the Comptroller of Public Accounts, were severally taken up and adopted.

The resolution of Mr. Thomas, of Jackson, in regard to the employment of more Clerical force in certain Departments, was ordered to lie on the table.

The President laid before the Convention a communication from the Governor, in response to the resolution moved by Mr. Kittrell, which was ordered to lie on the table and be printed.

On motion of Mr. Johnston, of Mecklenburg, the ordinances to amend the second section of the fourth article of the amendments to the Constitution were then taken up for consideration, and after some time spent thereon,

Mr. Ferebee moved that the further consideration of the subject be postponed until the next session, and on this question the ayes and noes were ordered, on motion of Mr. Meares, and resulted as follows :

AYES—Messrs. Armfield, Badger, Battle of Wake, Berry, Biggs, Brodnax, Calloway, Cannon, Councill, Davidson, Dillard, Douthitt, Edwards, Eller, Ellison, Ferebee, Foster of Ashe,

Gilmer, Hamlin, Headen, Hicks, Holden, Jones of Caldwell, Mann, Pettigrew, Sanders, Satterthwaite, Shipp, Smith of Halifax, Smith of Johnston, Smith of Macon, Speed, Sprouse, Spruill of Bertie, Spruill of Tyrrell, Thomas of Carteret, Walton and Wilson—38.

NOES—Messrs. Allison, Arrington, Barnes, Battle of Edgecombe, Carson, Cunningham, Durham, Foster of Randolph, Fuller, Graham, Greenlee, Grimes, Hargrove, Hearne, Holmes, Houston of Duplin, Howard, Johnston of Gaston, Johnston of Mecklenburg, Jones of Rowan, Kittrell, Lander, Leak of Richmond, Long, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, Meares, Merritt, Miller, Mitchell, Moseley, Myers, Osborne, Patterson, Penland, Rayner, Reid, Rhodes, Royster, Shaw, Stewart, Strong, Sutherland, Thomas of Jackson, Thompson, Thornton, Tracy, Turner, Venable, Ward, Williams, Williamson, Winslow, Woodfin and Wooten—56.

The subject was then made the special order of the day for to-morrow at eleven o'clock.

Mr. Battle, of Wake, introduced a resolution asking information of the Governor in regard to appointments to office, and other matters relating thereto, which lies over one day under the rule.

The hour having arrived, the Convention took a recess until 4 o'clock.

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4 O'CLOCK, P. M.

The Convention having re-assembled,

On motion of Mr. Rayner, the ordinance heretofore reported by him to amend the Constitution, so that not less than one-fifth of the members of each House of the General Assembly should have the right to demand the ayes and noes, was then taken up and passed its first reading.

The rules were suspended and the ordinance then passed its second reading.

On motion of Mr. Biggs, the resolution offered by him this morning in regard to the compensation of the officers of this Convention, was taken up, amended, and passed the second reading.

The following committees were announced by the President:

*On the 12th and 13th Sections of the Bill of Rights and Free Persons of Color:* Messrs. Ellison, Holden, Dick, Williamson and Batchelor.

*On Property Qualification for Office:* Messrs. Headen, Howard, Satterthwaite, Strong and Mitchell.

Then, on motion of Mr. Satterthwaite, the Convention adjourned.

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#### IN CONVENTION, TUESDAY, June 11, 1861.

The Convention was called to order by the President. Prayer by Rev. Joel W. Tucker, of the M. E. Church, South.

The journal of yesterday was read and approved.

A. H. Joyce, Esq., Delegate elect from Stokes county to fill the vacancy occasioned by the death of Hon. John Hill, appeared, produced his credentials, and took his seat in the Convention.

The President laid before the Convention a letter from Col. Wharton J. Green, of Warren county, tendering to the State of North Carolina a marble bust, by Powers, of the late Hon. John C. Calhoun.

Whereupon, on motion of Mr. Venable, a committee, consisting of Messrs. Venable, Craige and Smith, of Halifax, was appointed to receive the same and make arrangements for its formal presentation to the Convention this afternoon, at 4 o'clock.

Mr. Houston, of Duplin, offered a resolution to allow certain delegates, elected to fill vacancies, to affix their signatures to the ordinance of secession, which lies over one day under the rule.

Mr. Arrington offered a resolution providing for an increase of the pay of privates in the service of the State, which lies over one day under the rule.

Mr. Graham introduced an ordinance to provide for the disposition of State troops and volunteers, raised under the Acts of the General Assembly, of the 8th and 10th of May, 1861, which passed its first reading, was ordered to be printed, and made the special order for Thursday next, at 12 o'clock, M.

Mr. Biggs offered the following, which lies over one day under the rule :

*Resolved*, That the Committee on Military Affairs be instructed to inquire into the expediency of reducing the present compensation allowed all officers, while engaged in the service of this State.

The resolution of Mr. Sprouse in regard to free persons of color was then taken up, and, on motion of Mr. Badger, ordered to lie on the table.

Mr. Ruffin offered an ordinance to amend the Constitution of the State in regard to Bills of Credit, which lies over one day for consideration.

On motion of Mr. Ferebee, his resolution in regard to a Court of Claims, which had been laid on the table, was then taken up.

Mr. Badger moved that it be indefinitely postponed; pending the consideration of which, the hour set apart for the special order arrived, and the Convention proceeded to the consideration of the ordinance relating to the religious tests for office.

The pending question being the amendment offered by Mr. Rayner, the same was put to a vote of the Convention, and not agreed to.

The question then recurred on the original ordinance.

Mr. Ruffin moved to amend as follows: Strike out all after the word, "God," and insert, "or the divine authority of both the Old and New Testaments; or who shall hold religious opinions incompatible with the freedom and safety of the State, shall be capable of holding any office or place of trust or profit in the civil department within this State."

Mr. Biggs called for a division of the question, whereupon the President put the question first upon striking out.

On this question the ayes and noes were ordered, on motion of Mr. Biggs, and resulted in the affirmative, as follows:

**AYES**—Messrs. Allison, Armfield, Arrington, Ashe, Badger, Barnes, Batchelor, Battle of Wake, Berry, Biggs, Bond, Brodnax, Brown, Bunting, Calloway, Carson, Councill, Cunningham, Darden, Davidson, Dick, Dillard, Douthitt, Durham, Eller, Ellison, Ferebee, Foster of Ashe, Foster of Randolph, Gilmer, Graham, Graves, Green, Greenlee, Grimes, Hargrove, Headen, Hearne, Henkel, Hicks, Holden, Houston of Union, Jones of Caldwell, Jones of Rowan, Joyce, Kittrell, Leak of Richmond, Long, Mann, McDowell of Burke, McNeill of Cumberland, Merritt, Mitchell, Moody, Moseley, Osborne, Penland, Pettigrew, Phifer, Rayner, Reid, Rhodes, Royster, Ruffin, Sanders, Shaw, Shipp, Smith of Halifax, Speed, Sprouse, Spruill of Bertie, Spruill of Tyrrell, Sutherland, Thomas of Jackson, Thompson, Turner, Venable, Walton, Warren, Washington, Williamson, Wilson, Woodfin and Wooten—84.

**NOES**—Messrs. Battle of Edgecombe, Cannon, Fuller, Gorrell, Houston of Duplin, Howard, Johnston of Gaston, Johnston of Mecklenburg, Lander, McDowell of Madison, McNeill of Harnett, Meares, Miller, Smith of Johnston, Stewart, Thornton, Tracy, Williams and Winslow—20.

The question then recurring on the insertion of the words proposed by Mr. Ruffin, the ayes and noes were ordered, on motion of Mr. Biggs, and resulted in the affirmative, as follows:

**AYES**—Messrs. Allison, Armfield, Badger, Barnes, Batchelor, Battle of Edgecombe, Battle of Wake, Berry, Bond, Brodnax, Bunting, Calloway, Carson, Councill, Cunningham, Darden, Davidson, Dick, Dillard, Douthitt, Durham, Edwards, Eller, Ellison, Foster of Ashe, Foster of Randolph, Fuller, Gilmer, Graham, Green, Greenlee, Grimes, Headen, Hearne, Henkel, Hicks, Holden, Holmes, Houston of Duplin, Houston of Union, Howard, Johnston of Gaston, Johnston of Mecklenburg, Jones of Caldwell, Jones of Rowan, Joyce, Kittrell, Leak of Richmond, Long, Mann, McDowell of Madison, McNeill of Cumberland, McNeill of Harnett, Merritt, Miller, Mitchell, Moody, Moseley, Osborne, Phifer, Reid, Ruffin, Sanders, Shipp, Smith

of Halifax, Smith of Macon, Sprouse, Spruill of Bertie, Sutherland, Thomas of Carteret, Thomas of Jackson, Thompson, Thornton, Tracy, Turner, Venable, Walton, Warren, Washington, Williamson, Wilson, Winslow, Woodfin and Wooten—84.

NOES—Messrs. Arrington, Ashe, Biggs, Brown, Cannon, Ferebee, Gorrell, Hargrove, Lander, McDowell of Burke, Meares, Penland, Pettigrew, Rayner, Rhodes, Royster, Shaw, Smith of Johnston, Speed, Spruill of Tyrrell, Stewart and Williams—22.

The question recurring upon the passage of the ordinance as amended,

Mr. Biggs moved the following amendment: Strike out all after the ordaining clause, and insert, "no religious test shall ever be required as a qualification to any office or public trust in this State."

On this amendment the ayes and noes were ordered, on motion of Mr. Biggs, and resulted in the negative, as follows:

AYES—Messrs. Arrington, Ashe, Battle of Edgecombe, Biggs, Brown, Cannon, Carson, Cunningham, Darden, Dillard, Durham, Edwards, Hargrove, Lander, McDowell of Burke, McDowell of Madison, McNeill of Harnett, Penland, Rayner, Reid, Rhodes, Royster, Sanders, Shaw, Smith of Johnston, Speed, Spruill of Tyrrell, Stewart, Thomas of Carteret, Thompson, Walton, Williams and Winslow—33.

NOES—Messrs. Armfield, Badger, Barnes, Batchelor, Battle of Wake, Berry, Bond, Brodnax, Bunting, Calloway, Council, Davidson, Dick, Douthitt, Eller, Ellison, Ferebee, Foster of Ashe, Foster of Randolph, Fuller, Gilmer, Gorrell, Graham, Green, Greenlee, Grimes, Headen, Hearne, Henkel, Hicks, Holmes, Houston of Duplin, Houston of Union, Howard, Johnston of Gaston, Johnston of Mecklenburg, Jones of Caldwell, Jones of Rowan, Joyce, Kittrell, Leak of Richmond, Long, McNeill of Cumberland, Meares, Merritt, Miller, Mitchell, Moody, Moseley, Osborne, Pettigrew, Phifer, Ruffin, Shipp, Smith of Halifax, Smith of Macon, Sprouse, Spruill of Bertie, Sutherland, Thornton, Tracy, Turner, Venable, Warren, Washington, Williamson, Wilson, Woodfin and Wooten—69.

The question again recurring on the passage of the ordinance as amended, on the second reading, the ayes and noes were ordered, on motion of Mr. Lander, and resulted in the affirmative, as follows:

AYES—Messrs. Allison, Armfield, Arrington, Ashe, Badger, Barnes, Batchelor, Battle of Edgecombe, Battle of Wake, Berry, Biggs, Bond, Brodnax, Brown, Bunting, Calloway, Carson, Councill, Cunningham, Darden, Davidson, Dick, Dillard, Douthitt, Durham, Edwards, Eller, Ellison, Foster of Ashe, Foster of Randolph, Fuller, Gilmer, Graham, Green, Greenlee, Grimes, Hargrove, Headen, Hearne, Henkel, Hicks, Holmes, Houston of Duplin, Houston of Union, Howard, Johnston of Gaston, Johnston of Mecklenburg, Jones of Caldwell, Jones of Rowan, Joyce, Kittrell, Lander, Leak of Richmond, Long, Mann, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, McNeill of Harnett, Meares, Merritt, Miller, Mitchell, Moody, Moseley, Myers, Osborne, Penland, Phifer, Rayner, Reid, Rhodes, Royster, Ruffin, Shaw, Shipp, Smith of Halifax, Smith of Macon, Speed, Spruill of Bertie, Stewart, Sutherland, Thomas of Carteret, Thompson, Thornton, Tracy, Turner, Venable, Warren, Washington, Williams, Williamson, Wilson, Winslow, Woodfin and Wooten—96.

NOES—Messrs. Cannon, Ferebee, Gorrell, Pettigrew, Sanders, Smith of Johnston, Sprouse, Spruill of Tyrrell and Walton—9.

The Convention then took a recess until 4 o'clock, P. M.

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4 O'CLOCK, P. M.

The Convention re-assembled and proceeded to the consideration of the special order, being the resolution of Mr. Biggs in relation to a recess of the Convention.

Mr. Biggs moved to fill the blank in the resolution with "Tuesday next at 6, A. M."

Mr. Arrington moved to amend the amendment by striking out "Tuesday next," and inserting, "Wednesday, the 25th instant."

Mr. Barnes moved to postpone the further consideration of the subject until to-morrow at 4 o'clock, P. M.

Mr. Pettigrew moved that it lie on the table, which motion did not prevail.

Mr. Meares moved a call of the House, which was not agreed to.

The question recurred on the motion of Mr. Barnes, and it was agreed to.

Mr. Venable, from the committee on the subject, appointed this morning, reported the following resolutions :

*Resolved*, That this Convention accepts the bust of the late Honorable John C. Calhoun, presented to the State of North Carolina by Col. Wharton J. Green, and orders that the same be placed in a suitable niche in the Senate Chamber of the Capital.

*Resolved*, That the thanks of the Convention are due to Col. Green for this memorial of a patriot and Statesman, whose name is so justly honored in the memory of his countrymen.

The resolutions were unanimously agreed to, and the committee was charged with carrying out the order of the Convention.

On motion of Leak, of Richmond, the resolutions and the letter of Col. Green were ordered to be printed.

Mr. Rayner, from the Committee on Finance, to whom it was recommitted, reported an ordinance to provide for a Board of Claims, and recommended its passage.

On motion, the Convention then resolved itself into a Committee of the Whole, Mr. Satterthwaite in the chair, and proceeded to consider the ordinance just reported.

After some time spent therein, the Committee rose and reported the ordinance back to the Convention, with a recommendation that it do pass.

Mr. Durham moved to amend as follows : Strike out all after the word, "ordained," and insert, "That the County Court shall have power to appoint a Board of Claims, whose duty it shall be to examine and pass upon all claims for their respective counties, and report the same to the Paymaster General, under



the seals of their respective counties, for payment," which was not agreed to.

Mr. Batchelor moved that the Convention adjourn, which motion did not prevail.

The question recurred on the passage of the ordinance on its second reading, and it was agreed to.

The rules were suspended, and the ordinance put on its third reading.

Mr. Rayner moved to amend by inserting after the word, "no," the words, "county or corporation," which was agreed to.

Mr. Ruffin moved to amend by striking out the word, "November," in the last section, and inserting the word, "December," in lieu thereof, which was agreed to.

The ordinance then passed the third reading, and was ordered to be enrolled.

Mr. Badger offered the following, which lies over one day under the rule:

*Resolved*, That a seat in the Confederate Congress and a seat in this Convention being incompatible, the acceptance of the former shall vacate the latter.

And then, on motion of Mr. Badger, the Convention adjourned.

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#### IN CONVENTION, WEDNESDAY, June 12, 1861.

The President took the chair and called the Convention to order. Prayer by Rev. Thomas E. Skinner, of the Baptist Church.

The journal of yesterday was read and approved.

The President laid before the Convention a communication from C. H. Brogden, Comptroller of public accounts, in response to a resolution of the body, which was read, referred to the committee of Finance, and ordered to be printed.

Mr. Smith, of Johnston, introduced an ordinance to amend the Constitution of the State, so as to provide that the Judges of the Superior Courts of Law and Equity shall hereafter be

elected by the qualified voters of the House of Commons, which passed its first reading, and was ordered to be printed.

On motion of Mr. Arrington, the resolution heretofore introduced by him to increase the pay of privates in the army, was taken up for consideration.

Mr. Biggs moved to refer the resolution to the committee on Military Affairs.

Mr. Satterthwaite moved to amend the motion by instructing said committee to inquire whether the rate of compensation to officers and privates is now fixed at the proper sum, which motion prevailed, and the motion, as amended, was agreed to.

The resolution declaring the incompatibility of a seat in the Convention with a seat in the Confederate Congress, then passed its second reading, on a call of the ayes and noes, ordered, on motion of Mr. Badger, as follows:

AYES—Messrs. Allison, Armfield, Arrington, Badger, Barnes, Battle of Edgecombe, Battle of Wake, Berry, Bond, Brodnax, Brown, Cannon, Carson, Christian, Councill, Craige, Cunningham, Darden, Davidson, Dick, Dilliard, Douthitt, Durham, Edwards, Ellison, Ferebee, Foster of Ashe, Foster of Randolph, Foy, Fuller, Gilmer, Gorrell, Graham, Green, Greenlee, Grimes, Headen, Hearne, Henkel, Hicks, Holden, Houston of Duplin, Houston of Union, Howard, Jones of Rowan, Joyce, Kittrell, Lander, Leak of Anson, Leak of Richmond, Long, Mann, Manning, McDowell of Bladen, McNeill of Cumberland, McNeill of Harnett, Merritt, Miller, Mitchell, Moody, Moseley, Myers, Osborne, Patterson, Penland, Pettigrew, Phifer, Rayner, Rhodes, Royster, Ruffin, Sanders, Satterthwaite, Shipp, Smith of Halifax, Smith of Johnston, Speed, Sprouse, Spruill of Bertie, Spruill of Tyrrell, Stewart, Sutherland, Thomas of Carteret, Tracy, Turner, Walton, Ward, Warren, Washington, Williams, Williamson, Wilson and Wooten—93.

NOES—Messrs. Ashe, Batchelor, Biggs, Bunting, Hargrove, Holmes, Johnston of Gaston, Johnston of Mecklenburg, McDowell of Burke, McDowell of Madison, Meares, Reid, Shaw, Thompson, Thornton, Venable, Winslow and Woodfin—18.

The resolution of Mr. Ashe, declaring the opinion of the Convention in regard to the character of the government of the Confederate States, was then taken up on its second reading.

Mr. Satterthwaite moved that it lie on the table, and on this question the ayes and noes were ordered, on motion of Mr. Ashe, and resulted in the negative, there being a tie vote, as follows :

AYES—Messrs. Allison, Armfield, Badger, Barnes, Battle of Wake, Bond, Brodnax, Brown, Calloway, Cannon, Christian, Councill, Davidson, Dick, Douthitt, Eller, Ellison, Ferebee, Foster of Ashe, Foster of Randolph, Gilmer, Gorrell, Graham, Headen, Hearne, Holden, Houston of Union, Jones of Caldwell, Jones of Rowan, Joyce, Kittrell, Leak of Anson, Long, Mann, Manning, Mitchell, Myers, Pettigrew, Rayner, Ruffin, Sanders, Satterthwaite, Shipp, Smith of Halifax, Smith of Johnston, Speed, Sprouse, Spruill of Bertie, Spruill of Tyrrell, Thomas of Carteret, Walton, Warren, Washington, Williamson and Wilson—55.

NOES—Messrs. Arrington, Ashe, Batchelor, Battle of Edgecombe, Biggs, Bunting, Carson, Craige, Cunningham, Darden, Dillard, Durham, Edwards, Foy, Fuller, Green, Grimes, Hargrove, Henkel, Hicks, Holmes, Houston of Duplin, Howard, Johnston of Gaston, Johnston of Mecklenburg, Lander, Leak of Richmond, McDowell of Bladen, McNeill of Cumberland, McNeill of Harnett, Meares, Merritt, Miller, Moody, Moseley, Osborne, Patterson, Penland, Phifer, Reid, Rhodes, Royster, Shaw, Stewart, Sutherland, Thompson, Thornton, Tracy, Turner, Venable, Ward, Williams, Winslow, Woodfin and Wooten—55.

The question then recurred on the passage of the resolution. Mr. Ashe demanded the ayes and noes, which were ordered.

Mr. Ellison then called for the special order, being the ordinance relating to the meeting of the General Assembly.

Mr. Batchelor moved to postpone the same for half an hour ; and on this question the ayes and noes were ordered, on motion of Mr. Badger, and resulted in the negative, as follows :

AYES—Messrs. Arrington, Ashe, Batchelor, Bunting, Carson, Craige, Cunningham, Darden, Dillard, Fuller, Hargrove, Holmes,

Houston of Duplin, Johnston of Gaston, Lander, Leak of Richmond, McDowell of Madison, McNeill of Cumberland, McNeill of Harnett, Moseley, Penland, Reid, Rhodes, Royster, Shaw, Stewart, Sutherland, Thompson, Thornton, Turner, Venable, Williams, Winslow, Woodfin and Wooten—34.

NOES—Messrs. Allison, Armfield, Badger, Barnes, Battle of Edgecombe, Battle of Wade, Berry, Biggs, Bond, Brodnax, Brown, Calloway, Cannon, Christian, Councill, Davidson, Dick, Douthitt, Durham, Edwards, Eller, Ellison, Ferebee, Foster of Ashe, Foster of Randolph, Foy, Gilmer, Gorrell, Graham, Green, Grimes, Headen, Hearne, Henkel, Hicks, Holden, Houston of Union, Howard, Johnston of Mecklenburg, Jones of Caldwell, Jones of Rowan, Joyce, Kittrell, Leak of Anson, Long, Mann, Manning, McDowell of Bladen, McDowell of Burke, Meares, Merritt, Miller, Mitchell, Moody, Patterson, Pettigrew, Phifer, Rayner, Ruffin, Sanders, Satterthwaite, Shipp, Smith of Halifax, Smith of Johnston, Speed, Sprouse, Spruill of Bertie, Spruill of Tyrrell, Thomas of Carteret, Tracy, Walton, Ward, Warren, Washington, Williamson and Wilson—76.

The special order was then taken up.

Mr. Ferebee offered the following amendment: Strike out all after the ordaining clause, and insert, "That the General Assembly, elected on the first Thursday in August, 1860, be, and the same is hereby dissolved."

*Be it further ordained*, That the Governor be directed to issue his proclamation, declaring said General Assembly, dissolved, and that he order an election to be held on the first Thursday in August next for members of the Legislature, and that they assemble in Raleigh, in regular session, on the third Monday in November next.

Mr. Biggs offered the following amendment to the amendment: Strike out all after the word "that," in the first line, and insert, "The resolution of the General Assembly adjourning the special session thereof, until the 25th inst., be, and the same is hereby repealed, and the said General Assembly shall meet in regular session at such time after the 20th of July.

1861, during this year, as may be appointed by the Governor, of which he shall make proclamation.

*Be it further ordained,* That the Governor shall, by proclamation, immediately notify the members of the General Assembly of the above ordinance.

Mr. Howard moved to postpone the consideration of the subject until Saturday next, at 12 o'clock, pending the consideration of which motion, the hour arrived, and the Convention took a recess until 4 o'clock, P. M.

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4 O'CLOCK, P. M.

The Convention re-assembled and resumed the business pending at the hour of recess. After some time spent therein,

The President laid before the Convention the following communication from His Excellency, Gov. Ellis, with the accompanying official report of Col. D. H. Hill, commanding the first regiment of North Carolina Volunteers, which, on motion of Mr. Moseley was ordered to be spread upon the journal:

EXECUTIVE OFFICE, 12th June, 1861.

*To the Honorable President,  
and members of the Convention :*

GENTLEMEN : I have the pleasure to transmit herewith an official dispatch from Col. D. H. Hill, commanding the 1st Regiment of N. C. Volunteers, giving a detailed account of a signal victory achieved over the enemy near Hampton, Va., in which the North Carolina Regiment bore a prominent part.

I would avail myself of this opportunity to ask of the Convention the privilege of tendering to the gallant commander of the regiment, and the brave officers and men under his command, those testimonials of approbation most grateful to a soldier's feelings.

I would respectfully recommend Col. Hill as worthy of promotion to the rank of Brigadier General, and that a full Brig-

ade be at once placed under his command. Other recommendations will be made when further particulars are received.

Respectfully submitted,

JOHN W. ELLIS.

YORKTOWN, VA., June 11th, 1861.

*Honorable John W. Ellis,*

*Governor of North Carolina:*

SIR: I have the honor to report that eight hundred of my regiment and three hundred and sixty Virginians, were engaged for five and a half hours with four and a half regiments of the enemy, at Bethel Church, near Hampton. The enemy made three distinct and well sustained charges, but were repulsed with heavy loss. Our cavalry pursued them for six miles, when their retreat became a total rout. Fearing that heavy reinforcements would be sent from Fortress Monroe, we fell back at nightfall upon our works at Yorktown. I regret to report the loss of one man killed, (private Henry L. Wyatt, of the Edgecombe Guards,) and several wounded. The loss of the enemy, by their own confession, was one hundred and fifty, but it may safely be estimated at two hundred and fifty.

Our regiment behaved most gallantly. Not a man shrunk from his post or showed symptoms of fear.

When more at leisure I will give you a detailed report of operations.

Our Heavenly Father has most wonderfully interposed to shield our heads in the day of battle. Unto Him be all the praise for our success.

With great respect,

D. H. HILL,

Col. 1st Reg. N. C. V.

The above having been read amidst the almost unrestrained enthusiasm of the Convention,

On motion of Mr. Badger, it was ordered *unanimously* that the President be requested to present to His Excellency, the Governor, the sincere and hearty thanks of this Convention

for his message, and the highly gratifying dispatch of Col. Hill, and to assure him of the readiness with which this Convention will co-operate with him in offering any testimonial of honor and grateful acknowledgements to that gallant commander, and the officers and men under his command, which His Excellency may be pleased to recommend.

On motion of Mr. Biggs, it was ordered that 3200 copies of the message and dispatch be printed for the members of this Convention.

On motion, it was ordered that when the Convention adjourn to-day, it adjourn to meet on Friday, at 10 o'clock.

On motion of Mr. Spruill, of Bertie, a committee was appointed, consisting of Messrs. Spruill, of Bertie, Rayner and Barnes, to make arrangements for illuminating the Capitol and grounds in honor of the brilliant victory achieved by our gallant troops.

And then, on motion, the Convention adjourned to Friday, 10 o'clock, to-morrow being the day set apart by President Davis as a day of prayer and thanksgiving to Almighty God for His protection and blessings to our people and nation.

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IN CONVENTION, FRIDAY, June 14, 1861.

The President took the chair and called the Convention to order.

The journal of Wednesday was read and approved.

The President laid before the Convention the following letter from His Excellency, Jefferson Davis, President of the Confederate States, which was read and ordered to be spread upon the journal:

RICHMOND, VA., June 11th, 1861.

HON. WELDON N. EDWARDS,

*President of the Convention of North Carolina:*

SIR: I have received, through His Excellency, John W. Ellis, Governor of North Carolina, a copy of an ordinance

passed by the Convention of North Carolina, vesting in the Confederate States of America, jurisdiction over certain tracts of land in the town of Fayetteville and County of Cumberland. Looking hopefully to the day when in arms and all things necessary to maintain our rights, we may be independent,

I am, respectfully and truly yours,

JEFFERSON DAVIS.

On motion of Mr. Ruffin, the letter, with all matters pertaining to the cession of forts, dockyards, and other public property, was referred to a special committee, consisting of Messrs. Ruffin, Graham, Rayner, Gorrell and Shaw.

Mr. Strong, from the Committee on Enrollments, reported the following ordinance as having been examined and found correct, viz: an ordinance touching the authentication of ordinances and other acts of this Convention; and the same was signed by the President and attested by the Secretary and Assistant Secretary.

Mr. Battle, of Wake, offered the following which lies over one day:

*Resolved*, That a committee be raised to inquire into the propriety of the passage of an ordinance allowing Elizabeth Chavis, and her infant child, free persons of color, of Wake county, to become the slaves of Dr. B. F. Graham, of said county.

Mr. Miller offered the following, which lies over one day:

*Resolved*, That no delegate to this Convention shall speak more than thirty minutes on any one subject, unless by the unanimous consent of the Convention.

Mr. Smith, of Halifax, moved to take up the motion, made several days ago by Mr. Fuller, to reconsider the vote by which the Convention passed the ordinance to provide for the defense of the seaboard counties of the State, which motion prevailed.

The question being, will the Convention agree to reconsider?

Mr. Badger moved that the motion to reconsider be laid on the table, on which the ayes and noes were ordered, on motion of Mr. Speed, and resulted in the negative, as follows:



AYES—Messrs. Allison, Armfield, Arrington, Badger, Barnes, Battle of Wake, Berry, Bond, Brown, Calloway, Cannon, Christian, Councill, Davidson, Dick, Dillard, Douthitt, Eller, Ellison, Ferebee, Foster of Ashe, Foster of Randolph, Foy, Gilmer, Gorrell, Graham, Green, Headen, Holden, Jones of Caldwell, Joyce, Kittrell, Leak of Richmond, Long, Mann, Merritt, Mitchell, Pettigrew, Sanders, Smith of Halifax, Smith of Johnston, Smith of Macon, Speed, Spruill of Bertie, Spruill of Tyrrell, Walton, Ward and Wilson—48.

NOES—Messrs. Ashe, Batchelor, Battle of Edgecombe, Biggs, Brodnax, Bunting, Carson, Craige, Cunningham, Darden, Durham, Edwards, Fuller, Greenlee, Grimes, Hargrove, Hearne, Henkel, Hicks, Holmes, Houston of Union, Howard, Johnston of Gaston, Lander, McDowell of Bladen, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, McNeill of Harnett, Meares, Miller, Moseley, Patterson, Penland, Phifer, Reid, Rhodes, Royster, Ruffin, Satterthwaite, Shaw, Sprouse, Stewart, Strong, Sutherland, Thomas of Jackson, Thompson, Thornton, Tracy, Turner, Venable, Williams, Williamson, Woodfin and Wooten—55.

The question recurring on the motion to reconsider, it was decided in the affirmative, the ayes and noes being ordered, on motion of Mr. Barnes, as follows:

AYES—Messrs. Ashe, Batchelor, Battle of Edgecombe, Biggs, Bunting, Carson, Councill, Craige, Cunningham, Darden, Durham, Edwards, Fuller, Greenlee, Grimes, Hargrove, Hearne, Henkel, Hicks, Holmes, Houston of Union, Howard, Johnston of Gaston, Lander, McDowell of Bladen, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, McNeill of Harnett, Meares, Miller, Moseley, Patterson, Penland, Phifer, Reid, Rhodes, Royster, Ruffin, Satterthwaite, Shaw, Sprouse, Stewart, Strong, Sutherland, Thomas of Jackson, Thompson, Thornton, Tracy, Turner, Venable, Williams, Williamson, Woodfin and Wooten—55.

NOES—Messrs. Allison, Armfield, Arrington, Badger, Barnes, Battle of Wake, Berry, Bond, Brodnax, Brown, Calloway, Cannon, Christian, Davidson, Dick, Dillard, Douthitt, Eller,

Ellison, Ferebee, Foster of Ashe, Foster of Randolph, Foy, Gilmer, Gorrell, Graham, Green, Holden, Jones of Caldwell, Joyce, Kittrell, Leak of Richmond, Long, Mann, Merritt, Mitchell, Moody, Pettigrew, Sanders, Smith of Halifax, Smith of Johnston, Smith of Macon, Speed, Spruill of Bertie, Spruill of Tyrrell, Walton, Ward and Wilson—48.

The question recurring upon the passage of the ordinance on its third reading, the same was considered until the hour arrived for the special order, being the ordinance relating to the meeting of the General Assembly.

Mr. Barnes moved to postpone the special order until the pending question was disposed of; during the discussion of which motion, the hour arrived and the Convention took a recess until 4 o'clock, P. M.

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4 O'CLOCK, P. M.

The Convention re-assembled, when, by consent, Mr. Spruill, of Bertie, made a report from the committee of arrangements, illuminating the Capitol, recommending a postponement of the matter for the present, which was read and laid upon the table.

The Convention then resumed the consideration of the motion of Mr. Barnes, which was pending at the hour of recess, and after some time spent therein, the motion was agreed to, and the question being on the final passage of the ordinance, the ayes and noes were ordered, on motion of Mr. Barnes, and resulted in the negative, as follows :

AYES—Messrs. Allison, Armfield, Arrington, Badger, Barnes, Battle of Wake, Berry, Bond, Brodnax, Brown, Calloway, Cannon, Christian, Davidson, Dick, Dillard, Douthitt, Eller, Ellison, Ferebee, Foster of Ashe, Foster of Randolph, Foy, Gilmer, Gorrell, Graham, Green, Headen, Holden, Jones of Caldwell, Kittrell, Leak of Anson, Long, Mann, Meares, Mitchell, Myers, Pettigrew, Sanders, Smith of Halifax, Smith of Johnston, Smith of Macon, Speed, Spruill of Bertie, Spruill of Tyrrell, Thomas of Carteret, Walton, Ward, Warren and Wilson—50.

NOES—Messrs. Ashe, Batchelor, Battle of Edgecombe, Biggs, Bunting, Carson, Councill, Craige, Cunningham, Darden, Durham, Edwards, Greenlee, Grimes, Hargrove, Hearne, Henkel, Hicks, Holmes, Houston of Union, Howard, Johnston of Gaston, Jones of Rowan, Joyce, Lander, Leak of Richmond, McDowell of Bladen, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, McNeill of Harnett, Miller, Moseley, Penland, Phifer, Reid, Rhodes, Royster, Ruffin, Satterthwaite, Shaw, Sprouse, Stewart, Strong, Sutherland, Thomas of Jackson, Thompson, Thornton, Tracy, Turner, Venable, Williams, Williamson, Woodfin and Wooten—55.

Then, on motion of Mr. Badger, the Convention adjourned.

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#### IN CONVENTION, SATURDAY, June 15, 1861.

The President took the chair and called the Convention to order.

The journal of yesterday was read and approved.

Mr. Venable, from the Committee on Military Affairs, reported an ordinance to amend the military laws of the State, which was ordered to lie on the table and be printed.

Mr. Ruffin, from the committee on that subject, reported an ordinance to amend the Constitution of the State, touching the subjects of taxation, revenue, and the public debt, which passed the first reading, and was ordered to be printed, and made the special order of the day for Tuesday next at 11 o'clock.

Mr. Sanders introduced an ordinance to amend the third section of the fourth article of amendments to the Constitution, which passed its first reading, and was ordered to be printed.

Mr. Howard, from the committee on Military Affairs, to whom the subject had been referred, made an adverse report on the resolutions relating to a change in the pay of officers and soldiers, which lies on the table one day for consideration.

Mr. Woodfin, from the committee on Finance, made a majority report on the subject of the issue of Treasury notes, which lies over one day.

Mr. Rayner gave notice that the minority would present its views when the subject came up for consideration.

Mr. Rayner, from the same committee, to whom had been referred a resolution relating to the payment of Sheriffs for holding elections of members of this Convention, made a favorable report thereon, accompanied with an ordinance on that subject, which lies over one day for consideration.

Also, on the resolution authorizing the employment of clerical force in the Comptroller's department, to enable that officer to furnish the Convention with certain information asked in relation to the receipts into the Public Treasury, which, the rules being suspended, passed its several readings, and was ordered to be enrolled.

Mr. Ashe presented the proceedings of a public meeting in the town of Wilmington, and also the proceedings of the committee of safety in the the said town, in relation to the property of late citizens of that place who had abandoned the State in her hour of peril, and gone into the country of the enemy, which were read, and, on his motion, referred to a select committee.

Mr. Howard, from the committee on Military Affairs, introduced a resolution in favor of L. W. Joyner, clerk of said committee, which, by general consent, passed its three several readings, and was ordered to be enrolled.

The Convention then proceeded to the consideration of the ordinance relating to the meeting of the General Assembly, said ordinance having been set for yesterday, but was superseded by the ordinance for the seaboard defense.

By consent, Mr. Biggs withdrew the amendment heretofore offered by him, and thereupon moved to amend the amendment of Mr. Ferebee, by striking out the first section thereof.

Pending the consideration of this motion, the hour arrived, and the Convention took a recess until 4 o'clock, P. M.

4 O'CLOCK, P. M.

No quorum being present, on motion, the Convention adjourned until Monday, at 10 o'clock, A. M.

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IN CONVENTION, MONDAY, June 17, 1861.

The President took the chair and called the Convention to order.

The journal of Saturday was read and approved.

Mr. Strong, from the Committee on Enrollments, reported the following ordinances as having been examined and found correct, viz:

An Ordinance to provide for the appointment of a Board of Claims;

An Ordinance to dissolve the Union between North Carolina and the other States united with her in a compact of government entitled, "The Constitution of the United States;"

An ordinance to ratify the Constitution of the Provisional Government of the Confederate States of America;

Which were severally signed by the President and attested by the Secretaries.

The President announced the following committee on the memorial from citizens of Wilmington: Messrs. Holmes, Rayner, Warren, Battle, of Wake, and Meares.

Mr. Howard, from the Committee on Military Affairs, reported an ordinance to authorize the Governor to confer Brevet rank on certain officers for meritorious services; which passed its first reading.

Mr. Venable offered a resolution to authorize the 1st Regiment N. C. Volunteers to have the word "Bethel" inscribed upon its banner, which, the rules being suspended, passed its three several readings, and was ordered to be enrolled.

Mr. Biggs moved that when the Convention adjourn on Friday next, it adjourn to meet on the first Monday in October, unless sooner called together by the proclamation of the President.

Pending the consideration of this motion, the hour arrived for the special orders of the day.

Mr. Biggs moved to postpone the same until his motion in regard to adjournment was disposed of, and on this question, he asked the ayes and noes, which were ordered and resulted in the negative, as follows :

AYES—Messrs. Arrington, Biggs, Brodnax, Brown, Bunting, Carson, Craige, Darden, Dillard, Durham, Edwards, Foy, Greenlee, Grimes, Hargrove, Henkel, Howard, Johnston of Gaston, Lander, McDowell of Bladen, McDowell of Burke, McDowell of Mecklenburg, McNeill of Cumberland, Miller, Penland, Phifer, Reid, Rhodes, Royster, Satterthwaite, Shaw, Stewart, Strong, Sutherland, Thompson, Thornton, Tracy, Venable, Walton, Ward, Williamson, Winslow and Wooten—43.

NOES—Messrs. Allison, Armfield, Badger, Barnes, Batchelor, Battle of Wake, Bond, Calloway, Cannon, Councill, Davidson, Dick, Douthitt, Eller, Ellison, Ferebee, Foster of Ashe, Fuller, Gilmer, Gorrell, Graham, Headen, Hicks, Holden, Houston of Union, Jones of Caldwell, Joyce, Kittrell, Leak of Anson, Leak of Richmond, Long, Mann, Manning, Meares, Merritt, Mitchell, Myers, Patterson, Pettigrew, Rayner, Ruffin, Sanders, Smith of Johnston, Smith of Macon, Speed, Sprouse, Spruill of Bertie, Spruill of Tyrrell, Turner, Washington, Wilson and Woodfin—52.

By consent, Mr. Holden introduced an ordinance to amend the 4th section of the 4th article of the amendments to the Constitution, so as to strike out "United States," and insert, "Confederate States," which passed its first reading.

By consent, Mr. Batchelor introduced an ordinance giving certain jurisdiction to the Superior Courts, which passed its first reading.

The unfinished business of Saturday, being the motion of Mr. Biggs to amend the amendment of Mr. Ferebee to the ordinance relating to the meeting of the General Assembly, by striking out the first section thereof, was then taken up and considered until the hour of recess.

4 O'CLOCK, P. M.

The Convention re-assembled and resumed the business pending at the hour of recess, the question being on motion of Mr. Biggs to amend the amendment of Mr. Ferebee.

On this question the ayes and noes were ordered, on motion of Mr. Biggs, and resulted in the affirmative, as follows:

AYES—Messrs. Arrington, Batchelor, Biggs, Brodnax, Brown, Bunting, Carson, Craige, Dillard, Durham, Edwards, Foy, Fuller, Greenlee, Grimes, Hargrove, Headen, Henkel, Hicks, Houston of Union, Howard, Johnston of Gaston, Leak of Richmond, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, McNeill of Harnett, Meares, Merritt, Miller, Patterson, Penland, Reid, Rhodes, Royster, Sanders, Satterthwaite, Shaw, Sprouse, Spruill of Bertie, Stewart, Strong, Sutherland, Thomas of Jackson, Thornton, Tracy, Turner, Venable, Ward, Williams, Williamson, Woodfin and Wooten—53.

NOES—Messrs. Allison, Badger, Barnes, Berry, Calloway, Cannon, Councill, Davidson, Douthitt, Eller, Ellison, Ferebee, Foster of Ashe, Gorrell, Graham, Holden, Leak of Anson, Long, Mann, Pettigrew, Smith of Johnston, Spruill of Tyrrell, Washington and Wilson—24.

Mr. Strong then moved to amend as follows: Strike out the last section of Mr. Ferebee's amendment and insert, "that the resolution of the General Assembly, adjourning the special session thereof to the 25th of June, 1861, be, and the same is hereby repealed; and the General Assembly shall meet in regular session on the third Monday in August next, unless sooner convened by the proclamation of the Governor."

Mr. Graham asked for a division of the question, which being ordered, the question was first put on striking out, and it was agreed to.

The question being then on inserting the amendment of Mr. Strong,

Mr. Graham asked that it be divided so that the two substantive propositions therein contained, should be put to a separate vote.

The President decided that the motion was not in order, amounting, in his opinion, to an amendment in the third degree.

From this decision Mr. Graham took an appeal to the Convention, and the question being put: "Shall the decision of the chair stand as the judgment of the Convention?" it was decided in the affirmative.

The question was then put on the insertion of Mr. Strong's amendment, on which the ayes and noes were ordered, on motion of Mr. Barnes, and resulted in the negative, as follows:

AYES—Messrs. Dillard, Edwards, Fuller, Grimes, McDowell of Burke, Meares, Patterson, Penland, Shaw, Stewart, Strong, Thornton and Williams—13.

NOES—Messrs. Allison, Armfield, Arrington, Badger, Barnes, Batchelor, Battle of Wake, Berry, Biggs, Bond, Brodnax, Brown, Bunting, Calloway, Cannon, Carson, Councill, Craige, Cunningham, Darden, Davidson, Dick, Douthitt, Durham, Eller, Ellison, Ferebee, Foster of Ashe, Foy, Gilmer, Gorrell, Graham, Hargrove, Headen, Henkel, Hicks, Holden, Houston of Union, Howard, Johnston of Gaston, Jones of Caldwell, Joyce, Kittrell, Lander, Leak of Anson, Leak of Richmond, Long, Mann, McDowell of Bladen, McDowell of Madison, McNeill of Cumberland, McNeill of Harnett, Merritt, Miller, Mitchell, Moody, Myers, Pettigrew, Phifer, Rayner, Reid, Rhodes, Royster, Ruffin, Sanders, Satterthwaite, Smith of Johnston, Smith of Macon, Speed, Sprouse, Spruill of Bertie, Spruill of Tyrrell, Sutherland, Thomas of Jackson, Thompson, Tracy, Turner, Venable, Walton, Ward, Washington, Williamson, Wilson, Woodfin and Wooten—85.

The question now recurred upon the original proposition of Mr. Reid, the Convention having stricken out the whole of Mr. Ferebee's amendment and refusing to insert, being tantamount to a negative vote.

Mr. Ruffin moved to amend by striking out all after the ordaining clause, and insert, "That the General Assembly shall meet at least as often as once in every year, including the present year, and such meeting shall be on the third of November, unless they shall by law appoint a different day; and at its



first annual session after the year 1861, and from time to time thereafter, shall elect by joint vote of the two Houses, a Secretary of State, Comptroller, Treasurer and Council of State, who shall hold the office for two years."

A division was called for, and the question was first put on striking out; and it was decided in the affirmative, on a call of the ayes and noes, as follows:

**AYES**—Messrs. Allison, Armfield, Arrington, Badger, Barnes, Batchelor, Battle of Wake, Berry, Bond, Brown, Calloway, Cannon, Councill, Davidson, Dick, Douthitt, Eller, Ellison, Ferebee, Foy, Gilmer, Gorrell, Graham, Grimes, Headen, Hicks, Holden, Houston of Union, Johnston of Gaston, Jones of Caldwell, Joyce, Kittrell, Leak of Anson, Leak of Richmond, Long, Mann, McDowell of Bladen, McNeill of Harnett, Meares, Merritt, Mitchell, Myers, Patterson, Pettigrew, Rayner, Rhodes, Ruffin, Sanders, Satterthwaite, Smith of Johnston, Smith of Macon, Speed, Sprouse, Spruill of Bertie, Spruill of Tyrrell, Stewart, Sutherland, Walton, Ward, Washington, Williams, Williamson, Wilson and Woodfin—64.

**NOES**—Messrs. Biggs, Brodnax, Bunting, Carson, Craige, Cunningham, Darden, Dillard, Durham, Edwards, Foster of Ashe, Fuller, Hargrove, Henkel, Howard, McDowell of Burke, McDowell of Mecklenburg, McNeill of Cumberland, Miller, Moody, Penland, Phifer, Reid, Royster, Shaw, Strong, Thomas of Jackson, Thompson, Thornton, Tracy, Turner, Venable and Wooten—33.

The question then recurred upon inserting.

Mr. Ellison moved the following as a substitute for Mr. Ruffin's amendment: "That the resolution of the General Assembly, at its last session, providing for an adjourned session of the said General Assembly on the 25th of June, 1861, be, and the same is hereby abrogated and annulled."

Mr. Craige moved that the whole subject be laid upon the table, on which the ayes and noes were ordered, and resulted in the negative, as follows:

**AYES**—Messrs. Arrington, Biggs, Bunting, Craige, Cunningham, Darden, Dillard, Durham, Fuller, Hargrove, McDowell of

Burke, McNeill of Cumberland, Phifer, Reid, Royster, Shaw, Strong, Thomas of Jackson, Thornton, Tracy, Turner, Venable and Wooten—23.

NOES—Messrs. Allison, Armfield, Badger, Barnes, Batchelor, Battle of Wake, Berry, Bond, Brodnax, Brown, Calloway, Cannon, Carson, Councill, Davidson, Dick, Douthitt, Edwards, Eller, Ellison, Ferebee, Foster of Ashe, Foy, Gilmer, Gorrell, Graham, Greenlee, Grimes, Headen, Henkel, Hicks, Holden, Houston of Union, Howard, Johnston of Gaston, Jones of Caldwell, Joyce, Kittrell, Leak of Ashe, Leak of Richmond, Long, Mann, McDowell of Bladen, McDowell of Madison, McNeill of Harnett, Meares, Merritt, Miller, Mitchell, Moody, Myers, Patterson, Penland, Pettigrew, Rayner, Rhodes, Ruffin, Sanders, Satterthwaite, Smith of Johnston, Smith of Macon, Speed, Sprouse, Spruill of Bertie, Spruill of Tyrrell, Stewart, Sutherland, Thompson, Walton, Ward, Washington, Williams, Williamson, Wilson and Woodfin—75.

Mr. Thomas, of Jackson, moved that the Convention adjourn, and it was not agreed to.

The question was then put on the substitute of Mr. Ellison, on which the ayes and noes were ordered, on motion of Mr. Craige, and resulted in the affirmative, as follows :

AYES—Messrs. Allison, Armfield, Arrington, Badger, Batchelor, Berry, Bond, Brown, Calloway, Cannon, Councill, Cunningham, Davidson, Dick, Dillard, Douthitt, Eller, Ellison, Ferebee, Foster of Ashe, Gilmer, Gorrell, Graham, Headen, Holden, Houston of Union, Jones of Caldwell, Joyce, Kittrell, Leak of Anson, Long, Mann, McNeill of Harnett, Merritt, Miller, Mitchell, Myers, Pettigrew, Phifer, Rayner, Sanders, Satterthwaite, Smith of Johnston, Smith of Macon, Speed, Sprouse, Spruill of Bertie, Spruill of Tyrrell, Walton, Washington and Wilson—51.

NOES—Messrs. Barnes, Biggs, Brodnax, Bunting, Carson, Craige, Durham, Edwards, Foy, Fuller, Grimes, Hargrove, Henkel, Hicks, Johnston of Gaston, Leak of Richmond, McDowell of Bladen, McDowell of Burke, McDowell of Mecklenburg, McNeill of Cumberland, Meares, Moody, Patterson, Pen-

land, Reid, Rhodes, Royster, Ruffin, Shaw, Stewart, Strong, Sutherland, Thomas of Jackson, Thompson, Thornton, Tracy, Turner, Venable, Williams, Williamson, Woodfin and Wooten—42.

Mr. Stewart offered the following amendment :

*Be it further ordained*, That the present General Assembly shall meet in regular session on the second Monday in November, 1861 : *Provided*, That the Governor shall have power to call an extra session at any day the exigencies of the times may require.

Mr. Howard moved that the Convention adjourn, on which the ayes and noes were ordered, and resulted in the negative, as follows :

AYES—Messrs. Bunting, Carson, Craige, Durham, Foy, Fuller, Howard, McNeill of Cumberland, McNeill of Harnett, Miller, Penland, Phifer, Reid, Rhodes, Ruffin, Shaw, Sutherland, Thomas of Jackson, Thornton, Tracy and Turner—23.

NOES—Messrs. Allison, Armfield, Arrington, Badger, Barnes, Batchelor, Battle of Wake, Berry, Biggs, Bond, Brodnax, Brown, Calloway, Cannon, Councill, Cunningham, Davidson, Dick, Dillard, Douthitt, Eller, Ellison, Ferebee, Foster of Ashe, Gilmer, Gorrell, Graham, Hargrove, Headen, Henkel, Hicks, Holden, Houston of Union, Johnston of Gaston, Jones of Caldwell, Joyce, Kittrell, Leak of Anson, Leak of Richmond, Long, Mann, McDowell of Bladen, McDowell of Burke, McDowell of Madison, Merritt, Mitchell, Moody, Myers, Patterson, Pettigrew, Rayner, Royster, Sanders, Satterthwaite, Smith of Johnston, Smith of Macon, Speed, Sprouse, Spruill of Bertie, Spruill of Tyrrell, Stewart, Strong, Thompson, Venable, Walton, Ward, Washington, Williams, Wilson and Woodfin—70.

The question was then put on Mr. Stewart's amendment, on which the ayes and noes were ordered, on his motion, and resulted in the negative, as follows :

AYES—Messrs. Biggs, Bunting, Carson, Craige, Cunningham, Dillard, Durham, Foy, Greenlee, Hargrove, Henkel, Howard, Johnston of Gaston, Leak of Richmond, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, Miller, Moody, Patterson, Penland, Reid, Rhodes, Royster, Ruffin, Shaw,

Stewart, Strong, Thompson, Thornton, Tracy, Turner, Venable, Ward, Williams, Woodfin and Wooten—37.

NOES—Messrs. Allison, Armfield, Arrington, Badger, Barnes, Batchelor, Berry, Bond, Brodnax, Brown, Calloway, Cannon, Councill, Davidson, Dick, Eller, Ellison, Ferebee, Foster of Ashe, Gilmer, Gorrell, Graham, Headen, Hicks, Holden, Houston of Union, Jones of Caldwell, Joyce, Kittrell, Leak of Anson, Long, Mann, McDowell of Bladen, McNeill of Harnett, Merritt, Mitchell, Myers, Pettigrew, Phifer, Rayner, Sanders, Satterthwaite, Smith of Johnston, Smith of Macon, Speed, Sprouse, Spruill of Bertie, Spruill of Tyrrell, Walton, Washington and Wilson—51.

Mr. Craige moved that the Convention adjourn, on which the ayes and noes were ordered on his motion, and resulted in the negative, as follows :

AYES—Messrs. Brown, Bunting, Carson, Craige, Durham, Edwards, Foy, Fuller, Johnston of Gaston, McDowell of Madison, McNeill of Cumberland, McNeill of Harnett, Moody, Patterson, Penland, Reid, Rhodes, Ruffin, Shaw, Thomas of Jackson, Thornton, Tracy, Turner and Venable—24.

NOES—Messrs. Allison, Armfield, Arrington, Badger, Barnes, Batchelor, Battle of Wake, Berry, Biggs, Bond, Brodnax, Calloway, Cannon, Councill, Cunningham, Davidson, Dick, Dillard, Douthitt, Eller, Ellison, Ferebee, Foster of Ashe, Gilmer, Gorrell, Graham, Hargrove, Headen, Henkel, Hicks, Holden, Houston of Union, Jones of Caldwell, Joyce, Kittrell, Leak of Anson, Leak of Richmond, Long, Mann, McDowell of Bladen, McDowell of Burke, Meares, Merritt, Miller, Mitchell, Myers, Pettigrew, Phifer, Rayner, Royster, Sanders, Satterthwaite, Smith of Johnston, Smith of Macon, Speed, Sprouse, Spruill of Bertie, Spruill of Tyrrell, Stewart, Strong, Sutherland, Thompson, Walton, Washington, Williams, Williamson, Wilson, Woodfin and Wooten—69.

The question being now the passage of the ordinance, as amended, its second reading, it was agreed to.

Mr. Ferebee moved to suspend the rules and put the ordinance on its third reading.

Mr. Badger moved that the subject be postponed and made the special order for to-morrow at half past ten o'clock, and it was agreed to.

And then, on motion of Mr. Graham, the Convention adjourned.

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### IN CONVENTION, TUESDAY, June 18, 1861.

At the usual hour the President took the chair and called the Convention to order.

The journal of yesterday was read and approved.

P. C. Caldwell, delegate elect from Mecklenburg county, to fill the vacancy occasioned by the resignation of Col. William Johnston, appeared, produced his credentials and took his seat in the Convention.

Mr. Smith, of Johnston, from the committee to whom the subject was referred, reported an ordinance to extend the right of suffrage to our volunteers while on duty out of the respective counties in which they are entitled to vote, which passed its first reading, and was ordered to be printed.

Mr. Howard, from the committee on Military Affairs, reported an ordinance to pay the militia of the State when in actual service.

Also, an ordinance to facilitate the organization of ten thousand State troops, which passed its first reading, and was ordered to be printed.

Mr. Gilmer, from the committee on Representation, reported an ordinance amendatory of the Constitution of the State upon that subject, which passed its first reading, and was ordered to be printed.

Mr. Batchelor introduced an ordinance to amend the Constitution of the State, so as to provide for annual sessions of the General Assembly, which passed its first reading, and was ordered to be printed.

Mr. Washington, by consent, withdrew a resolution heretofore introduced by him, asking certain information in regard to

the number and disposition of State troops and volunteers, and in lieu thereof offered another on the same subject, which passed its first reading.

Mr. Gilmer offered an amendment to the rules, providing for the "Previous Question," which lies over one day.

Mr. Foy offered an ordinance relative to the printing of the journals and ordinances of this Convention, which passed its first reading, and was ordered to be printed.

Mr. Davidson introduced a resolution providing for the registration of the coupon bonds of the State, and the disposition of debts due our alien enemies, which passed its first reading, and was ordered to be printed.

The hour having arrived, the Convention proceeded to the consideration of the business set for this day, it being the ordinance relative to the meeting of the General Assembly.

Mr. Biggs moved to postpone the same, in order to take up the resolution providing for the adjournment of this body.

Mr. Batchelor moved that the motion to postpone lie on the table, on which motion the ayes and noes were ordered, on motion of Mr. Biggs, and resulted in the affirmative, as follows:

AYES—Messrs. Allison, Armfield, Arrington, Badger, Barnes, Batchelor, Battle of Wake, Berry, Bond, Brown, Calloway, Cannon, Councill, Davidson, Douthitt, Eller, Ellison, Ferebee, Foster of Ashe, Fuller, Gilmer, Gorrell, Graham, Headen, Hicks, Holden, Houston of Union, Jones of Caldwell, Joyce, Kittrell, Leak of Richmond, Long, Mann, McDowell of Madison, Meares, Merritt, Mitchell, Myers, Pettigrew, Phifer, Rayner, Ruffin, Sanders, Satterthwaite, Smith of Halifax, Smith of Johnston, Smith of Macon, Speed, Sprouse, Spruill of Bertie, Spruill of Tyrrell, Turner, Warren, Washington, Williamson, Wilson and Woodfin—57.

NOES—Messrs. Biggs, Brodnax, Bunting, Caldwell, Carson, Craige, Cunningham, Darden, Dillard, Durham, Edwards, Foy, Greenlee, Grimes, Hargrove, Henkel, Holmes, Howard, Johnston, Jones of Rowan, Lander, Leak of Anson, McDowell of Burke, McNeill of Cumberland, Miller, Moody, Moseley, Patterson, Penland, Reid, Rhodes, Royster, Shaw, Stewart, Strong,

Sutherland, Thompson, Thornton, Tracy, Venable, Walton, Ward, Whitford, Williams and Wooten—44.

The question being now on the passage of the ordinance its third reading, it did not pass; ayes 52, noes 53, as follows:

AYES—Messrs. Allison, Armfield, Arrington, Badger, Batchelor, Battle of Wake, Berry, Bond, Brown, Calloway, Cannon, Councill, Cunningham, Davidson, Douthitt, Eller, Ellison, Ferebee, Foster of Ashe, Gilmer, Gorrell, Graham, Headen, Holden, Houston of Union, Jones of Caldwell, Joyce, Kittrell, Leak of Anson, Long, Mann, Merritt, Mitchell, Myers, Pettigrew, Phifer, Rayner, Sanders, Satterthwaite, Shipp, Smith of Halifax, Smith of Johnston, Smith of Macon, Speed, Sprouse, Spruill of Bertie, Spruill of Tyrrell, Walton, Warren, Washington, Williams and Wilson—52.

NOES—Messrs. Ashe, Barnes, Battle of Edgecombe, Biggs, Brodnax, Caldwell, Carson, Craige, Darden, Dillard, Durham, Edwards, Foy, Fuller, Greenlee, Grimes, Hargrove, Henkel, Hicks, Holmes, Howard, Johnston, Jones of Rowan, Leak of Richmond, McDowell of Bladen, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, Miller, Moody, Moseley, Patterson, Penland, Reid, Rhodes, Royster, Ruffin, Shaw, Stewart, Strong, Sutherland, Thomas of Jackson, Thompson, Thornton, Tracy, Turner, Venable, Ward, Whitford, Williamson, Woodfin and Wooten—53.

Mr. Ruffin moved that the Convention now consider the ordinance defining treason against the State, and it was agreed to; and the rules being suspended, it passed the several readings, and was ordered to be enrolled.

The Convention then proceeded to the election of deputies to the Congress of the Confederate States of America.

Mr. Badger moved that the delegates from the districts be first elected, on which motion the ayes and noes were ordered, on motion Mr. Biggs, and resulted in the negative, as follows:

AYES—Messrs. Allison, Armfield, Arrington, Badger, Barnes, Battle of Wake, Berry, Bond, Brodnax, Calloway, Cannon, Councill, Davidson, Dick, Douthitt, Eller, Ellison, Ferebee, Foy, Gilmer, Gorrell, Headen, Holden, Houston of Union,

Jones of Caldwell, Joyce, Kittrell, Long, Mann, Mitchell, Sanders, Satterthwaite, Shipp, Smith of Halifax, Smith of Johnston, Smith of Macon, Speed, Sprouse, Spruill of Tyrrell, Warren, Washington, Williams and Wilson—43.

NOES—Messrs. Ashe, Batchelor, Battle of Edgecombe, Biggs, Bunting, Caldwell, Carson, Craige, Cunningham, Darden, Dillard, Durham, Edwards, Foster of Ashe, Fuller, Greenlee, Grimes, Hargrove, Henkel, Hicks, Holmes, Howard, Johnston, Jones of Rowan, Leak of Anson, Leak of Richmond, McDowell of Bladen, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, Meares, Merritt, Moody, Moseley, Myers, Patterson, Penland, Phifer, Reid, Rhodes, Royster, Ruffin, Shaw, Spruill of Bertie, Stewart, Strong, Sutherland, Thomas of Jackson, Thompson, Thornton, Tracy, Turner, Venable, Ward, Williamson, Winslow, Woodfin and Wooten—58.

Mr. Bond moved to postpone the election until to-morrow at 12 o'clock. On this motion the ayes and noes were ordered, on motion of Mr. Bond, and resulted in the negative, as follows:

AYES—Messrs. Allison, Armfield, Arrington, Badger, Barnes, Batchelor, Battle of Wake, Berry, Bond, Calloway, Cannon, Councill, Davidson, Dick, Douthitt, Ferebee, Gilmer, Gorrell, Graham, Headen, Holden, Houston of Union, Jones of Rowan, Joyce, Kittrell, Leak of Richmond, Long, Mann, Merritt, Mitchell, Moseley, Sanders, Smith of Johnston, Smith of Macon, Spruill of Bertie, Spruill of Tyrrell, Warren, Whitford and Wilson—39.

NOES—Messrs. Ashe, Battle of Edgecombe, Biggs, Brodnax, Brown, Bunting, Caldwell, Carson, Craige, Cunningham, Darden, Dillard, Durham, Edwards, Ellison, Foster of Ashe, Foy, Fuller, Greenlee, Grimes, Hargrove, Henkel, Hicks, Holmes, Howard, Johnston, Jones of Caldwell, Leak of Anson, McDowell of Bladen, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, Meares, Miller, Moody, Myers, Patterson, Penland, Pettigrew, Phifer, Rayner, Reid, Rhodes, Royster, Ruffin, Satterthwaite, Shaw, Smith of Halifax, Speed, Sprouse, Stewart, Strong, Sutherland, Thomas of Jackson, Thompson, Thornton, Tracy, Turner, Venable, Walton, Ward,



Washington, Williams, Williamson, Winslow, Woodfin and Wooten—67.

The Convention then proceeded to elect two delegates to represent the State at large.

Messrs. Strange and Barnes were appointed by the President to superintend the election.

Mr. Ashe nominated George Davis, of New Hanover.

Mr. Biggs nominated William W. Avery of Burke.

Mr. Merritt nominated Bedford Brown, of Caswell.

Mr. Headen nominated Henry W. Miller, of Wake.

FOR MR. AVERY—Messrs. Ashe, Batchelor, Battle of Edgecombe, Biggs, Bunting, Caldwell, Carson, Councill, Craige, Cunningham, Darden, Dillard, Durham, Edwards, Foy, Fuller, Greenlee, Grimes, Hargrove, Henkel, Hicks, Holmes, Howard, Johnston, Jones of Caldwell, Lander, Leak of Anson, McDowell of Bladen, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, McNeill of Harnett, Meares, Miller, Moody, Moseley, Patterson, Penland, Phifer, Reid, Rhodes, Royster, Shaw, Stewart, Strong, Sutherland, Thomas of Jackson, Thompson, Thornton, Tracy, Turner, Venable, Ward, Williams, Winslow, Woodfin and Wooten—57.

FOR MR. DAVIS—Messrs. Ashe, Batchelor, Battle of Edgecombe, Biggs, Brodnax, Brown, Bunting, Caldwell, Carson, Councill, Craige, Cunningham, Darden, Dillard, Durham, Edwards, Foy, Fuller, Greenlee, Grimes, Henkel, Holmes, Houston of Union, Howard, Johnston, Jones of Rowan, Lander, McDowell of Bladen, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, McNeill of Harnett, Meares, Miller, Moody, Moseley, Myers, Patterson, Penland, Phifer, Rayner, Reid, Rhodes, Royster, Ruffin, Shaw, Shipp, Smith of Halifax, Stewart, Strong, Sutherland, Thomas of Jackson, Thompson, Venable, Ward, Williams, Williamson, Winslow, Woodfin and Wooten—59.

FOR MR. BROWN—Messrs. Allison, Armfield, Arrington, Badger, Barnes, Battle of Wake, Berry, Bond, Brodnax, Calloway, Cannon, Davidson, Dick, Douthitt, Eller, Ellison, Ferebee, Gilmer, Gorrell, Graham, Headen, Holden, Houston of

Union, Jones of Rowan, Joyce, Leak of Richmond, Long, Mann, Merritt, Mitchell, Myers, Pettigrew, Ruffin, Sanders, Satterthwaite, Smith of Halifax, Smith of Johnston, Smith of Macon, Speed, Sprouse, Spruill of Bertie, Spruill of Tyrrell, Walton, Warren, Williamson and Wilson—47.

FOR MR. MILLER—Messrs. Allison, Armfield, Arrington, Badger, Barnes, Battle of Wake, Berry, Bond, Brown, Callo-way, Cannon, Davidson, Dick, Douthitt, Eller, Ellison, Ferebee, Foster of Ashe, Gilmer, Graham, Headen, Hicks, Holden, Jones of Caldwell, Joyce, Leak of Richmond, Long, Mann, Merritt, Mitchell, Pettigrew, Sanders, Shaw, Smith of Johnston, Smith of Macon, Speed, Sprouse, Spruill of Bertie, Spruill of Tyrrell, Turner, Warren and Wilson—42.

Messrs. Foster of Ashe, Hargrove, Rayner, Washington and Whitford, voted for Hon. Thomas Bragg.

Messrs. Leak of Anson, Satterthwaite and Washington, voted for Hon. William A. Graham.

Mr. Brown voted for Wm. Eaton, Jr., Esq.

Mr. Gorrell voted for Hon. John M. Morehead.

Mr. Thornton voted for Hon. H. M. Shaw.

Mr. Tracy voted for George Howard, Jr., Esq.

Mr. Walton voted for Kenneth Rayner, Esq.

The tellers reported that there were one hundred and nine votes given, and that George Davis and William W. Avery, having each received a majority thereof, were duly elected, in which report the Convention concurred.

The Convention then proceeded to the election of delegates for the several districts, as follows:

#### FOR THE FIRST DISTRICT:

Mr. Pettigrew nominated Wm. N. H. Smith, of Hertford.

Mr. Ashe nominated Richard H. Smith, of Halifax.

Messrs. Barnes and Strong superintended the election.

FOR WM. N. H. SMITH—Messrs. Allison, Armfield, Badger, Barnes, Batchelor, Battle of Wake, Berry, Bond, Brodnax, Brown, Bunting, Calloway, Cannon, Carson, Council, Cunningham, Darden, Davidson, Dick, Douthitt, Durham, Eller, Ellison,

Ferebee, Foster of Ashe, Fuller, Gilmer, Gorrell, Graham, Headen, Henkel, Hicks, Holden, Houston of Union, Jones of Rowan, Joyce, Lander, Leak of Anson, Leak of Richmond, Long, Mann, McDowell of Bladen, McNeill of Harnett, Merritt, Miller, Mitchell, Moody, Moseley, Myers, Patterson, Pettigrew, Phifer, Rhodes, Sanders, Satterthwaite, Shipp, Smith of Halifax, Smith of Johnston, Smith of Macon, Sprouse, Spruill of Bertie, Spruill of Tyrrell, Stewart, Strong, Sutherland, Tracy, Turner, Venable, Walton, Ward, Warren, Washington, Williamson, Wilson and Woodfin—76.

FOR RICHARD H. SMITH—Messrs. Ashe, Battle of Edgecombe, Biggs, Caldwell, Craige, Dillard, Edwards, Foy, Greenlee, Grimes, Holmes, Howard, Johnston, Jones of Caldwell, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, Meares, Penland, Reid, Royster, Ruffin, Thompson, Thornton, Whitford, Williams, Winslow and Wooten—28.

Mr. Hargrove voted for H. M. Shaw.

Mr. Rayner voted John Pool.

Mr. Shaw voted for Wm. F. Martin.

Mr. Thomas, of Jackson, voted for Kenneth Rayner.

The tellers reported that 108 votes had been given, and that Wm. N. H. Smith had received a majority thereof, and was duly elected, in which report the Convention concurred.

#### FOR THE SECOND DISTRICT:

Mr. Thompson nominated Thomas Ruffin, of Wayne.

Mr. Foy nominated George Green, of Craven.

Mr. Washington nominated Wm. B. Rodman, of Beaufort.

Messrs. Barnes and Strong again superintended the election.

FOR MR. RUFFIN—Messrs. Ashe, Batchelor, Battle of Edgecombe, Biggs, Bunting, Caldwell, Carson, Craige, Cunningham, Darden, Dillard, Durham, Edwards, Foster of Ashe, Greenlee, Hargrove, Henkel, Hicks, Holmes, Houston of Union, Howard, Johnston, Lander, Leak of Anson, Leak of Richmond, McDowell of Bladen, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, McNeill of Harnett, Meares, Merritt, Moody, Myers, Patterson, Penland, Phifer, Reid, Rhodes,

Royster, Ruffin, Shaw, Smith of Halifax, Stewart, Strong, Sutherland, Thomas of Jackson, Thompson, Thornton, Tracy, Tuner, Venable, Ward, Williams, Winslow, Woodfin and Wooten—59.

FOR MR. GREEN—Messrs. Allison, Armfield, Arrington, Badger, Barnes, Battle of Wake, Berry, Bond, Brodnax, Brown, Calloway, Cannon, Council, Davidson, Dick, Douthitt, Eller, Ellison, Ferebee, Foy, Gilmer, Gorrell, Graham, Headen, Holden, Jones of Caldwell, Jones of Rowan, Joyce, Long, Mann, Miller, Mitchell, Pettigrew, Sanders, Shipp, Smith of Johnston, Smith of Macon, Speed, Sprouse, Spruill of Bertie, Spruill of Tyrrell, Walton, Warren, Whitford, Williamson and Wilson—46.

FOR MR. RODMAN—Messrs. Grimes, Rayner, Satterthwaite and Washington—4.

The tellers reported that 108 votes had been given, and that Thomas Ruffin having received a majority thereof, was duly elected, in which report the Convention concurred.

#### FOR THE THIRD DISTRICT:

Mr. Moseley nominated Thomas D. McDowell, of Bladen.

Mr. McNeill, of Harnett, nominated Walter F. Leak, of Richmond.

Messrs. Strong and Barnes again superintending.

FOR MR. McDOWELL—Messrs. Ashe, Batchelor, Battle of Edgecombe, Biggs, Bunting, Caldwell, Carson, Craige, Cunningham, Darden, Dillard, Durham, Foy, Fuller, Grimes, Hargrove, Henkel, Holmes, Howard, Johnston, Jones of Caldwell, Jones of Rowan, Lander, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, Meares, Merritt, Moseley, Patterson, Penland, Phifer, Reid, Rhodes, Royster, Ruffin, Shaw, Shipp, Stewart, Strong, Thomas of Jackson, Thompson, Thornton, Tracy, Venable, Ward, Whitford, Williams, Winslow, Woodfin and Wooten—51.

FOR MR. LEAK—Messrs. Allison, Armfield, Arrington, Badger, Barnes, Battle of Wake, Berry, Bond, Brodnax, Brown, Calloway, Cannon, Council, Davidson, Dick, Douthitt, Eller, Ellison, Ferebee, Foster of Ashe, Gilmer, Gorrell, Graham,

Headen, Hicks, Holden, Houston of Union, Joyce, Leak of Anson, Long, Mann, McNeill of Harnett, Miller, Moody, Myers, Pettigrew, Sanders, Smith of Johnston, Smith of Macon, Speed, Sprouse, Spruill of Bertie, Spruill of Tyrrell, Sutherland, Turner, Walton, Warren, Washington, Williamson and Wilson—51.

Messrs. Rayner and Smith, of Halifax, voted for Walter L. Steele.

Messrs. McDowell, of Bladen, and Satterthwaite voted for Thomas D. Meares.

Mr. Leak, of Richmond, voted for Wm. B. Cole.

The tellers reported that 107 votes had been given, and that no person had received a majority thereof, and, therefore, there was no election.

The Convention voted again for deputy for the third district, as follows :

FOR MR. McDOWELL—Messrs. Ashe, Batchelor, Battle of Edgecombe, Biggs, Brodnax, Bunting, Caldwell, Carson, Craige, Cunningham, Darden, Dillard, Durham, Foy, Fuller, Grimes, Hargrove, Henkel, Holmes, Howard, Johnston, Jones of Caldwell, Jones of Rowan, Lander, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, Meares, Merritt, Moseley, Patterson, Penland, Phifer, Reid, Rhodes, Royster, Ruffin, Shaw, Shipp, Smith of Halifax, Stewart, Strong, Thomas of Jackson, Thompson, Thornton, Tracy, Venable, Ward, Whitford, Williams, Winslow, Woodfin and Wooten—53.

FOR MR. LEAK—Messrs. Allison, Armfield, Arrington, Badger, Barnes, Battle of Wake, Berry, Bond, Brown, Calhoun, Cannon, Council, Davidson, Dick, Douthitt, Eller, Ellison, Ferebee, Foster of Ashe, Gilmer, Gorrell, Graham, Greenlee, Headen, Hicks, Holden, Houston of Union, Joyce, Leak of Anson, Mann, McNeill of Harnett, Miller, Moody, Myers, Pettigrew, Sanders, Smith of Johnston, Smith of Macon, Speed, Sprouse, Spruill of Bertie, Spruill of Tyrrell, Sutherland, Turner, Walton, Warren, Washington and Wilson—49.

Mr. Satterthwaite voted for Walter L. Steele.

The tellers reported that 103 votes had been given, and that Thomas D. McDowell, having received a majority thereof, was duly elected, in which report the Convention concurred.

FOR THE FOURTH DISTRICT:

Mr. Hargrove nominated Abraham W. Venable, of Granville.

Mr. Foy nominated Archibald H. Arrington, of Nash.

Messrs. Barnes and Strong again superintending :

FOR MR. VENABLE—Messrs. Ashe, Berry, Biggs, Brodnax, Bunting, Caldwell, Carson, Craige, Cunningham, Darden, Dillard, Durham, Edwards, Fuller, Greenlee, Grimes, Hargrove, Henkel, Holmes, Houston of Union, Howard, Johnston, Jones of Rowan, Lander, Leak of Anson, McDowell of Bladen, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, McNeill of Harnett, Miller, Moody, Moseley, Myers, Penland, Phifer, Reid, Rhodes, Royster, Ruffin, Shaw, Shipp, Stewart, Strong, Sutherland, Thomas of Jackson, Thompson, Thornton, Tracy, Turner, Ward, Winslow, Woodfin and Wooten—54.

FOR MR. ARRINGTON—Messrs. Allison, Armfield, Badger, Barnes, Batchelor, Battle of Wake, Bond, Brown, Calloway, Cannon, Councill, Davidson, Dick, Douthitt, Eller, Ellison, Ferebee, Foster of Ashe, Foy, Gilmer, Gorrell, Graham, Headen, Hicks, Holden, Jones of Caldwell, Joyce, Leak of Richmond, Long, Mann, Merritt, Mitchell, Pettigrew, Sanders, Satterthwaite, Smith of Johnston, Smith of Macon, Speed, Sprouse, Spruill of Bertie, Spruill of Tyrrell, Walton, Warren, Whitford, Williams, Williamson and Wilson—47.

Messrs. Battle, of Edgecombe, and Washington, voted for Thomas Bragg.

Mr. Rayner voted for Paul C. Cameron.

Mr. Venable voted for Wm. A. Jenkins.

The tellers reported that 105 votes were given, and that Abraham W. Venable having received a majority thereof, was duly elected, in which report the Convention concurred.

## FOR THE FIFTH DISTRICT:

Mr. Turner nominated John M. Morehead, of Guilford.

Mr. Meares nominated John W. Cunningham, of Person.

Mr. Sanders nominated Edwin G. Reade, of Person.

Messrs. Strong and Barnes again superintended the election.

FOR MR. MOREHEAD—Messrs. Allison, Arrington, Badger, Barnes, Battle of Wake, Bond, Brodnax, Brown, Caldwell, Calloway, Cannon, Carson, Darden, Davidson, Dick, Douthitt, Durham, Eller, Ferebee, Foster of Ashe, Foy, Fuller, Gilmer, Gorrell, Headen, Hicks, Houston of Union, Howard, Johnston, Jones of Caldwell, Jones of Rowan, Joyce, Lander, Leak of Anson, Leak of Richmond, Long, McNeill of Cumberland, McNeill of Harnett, Merritt, Miller, Myers, Pettigrew, Phifer, Rhodes, Ruffin, Satterthwaite, Shipp, Smith of Johnston, Smith of Macon, Speed, Sprouse, Spruill of Bertie, Spruill of Tyrrell, Stewart, Strong, Sutherland, Thomas of Jackson, Tracy, Turner, Walton, Warren, Washington, Williamson and Wilson—64.

FOR MR. CUNNINGHAM—Messrs. Ashe, Battle of Edgecombe, Biggs, Bunting, Craige, Dillard, Edwards, Grimes, Hargrove, Henkel, Holmes, McDowell of Bladen, McDowell of Burke, McDowell of Madison, Meares, Moody, Penland, Reid, Royster, Shaw, Thompson, Thornton, Venable, Ward, Williams, Winslow, Woodfin and Wooten—29.

FOR MR. READE—Messrs. Armfield, Batchelor, Berry, Council, Ellison, Graham, Greenlee, Holden, Mann, Mitchell, Sanders, Smith of Halifax, and Whitford—13.

Mr. Rayner voted for Montfort McGehee.

The tellers reported that 107 votes had been given, and that John M. Morehead having received a majority thereof, was duly elected, in which report the Convention concurred.

The hour therefor having now arrived, the Convention took a recess until 4 o'clock, P. M.

4 O'CLOCK, P. M.

The Convention having re-assembled, proceeded to the election of deputy to the Confederate Congress

## FOR THE SIXTH DISTRICT :

Mr. Armfield nominated Richard C. Puryear, of Yadkin.

Mr. McDowell, of Burke, nominated Rufus L. Patterson, of Forsythe.

Messrs. Foy and Kittrell were appointed to superintend the election.

FOR MR. PURYEAR—Messrs. Allison, Armfield, Arrington, Badger, Barnes, Battle of Wake, Bond, Brodnax, Brown, Calloway, Cannon, Davidson, Dick, Douthitt, Eller, Foster of Ashe, Foy, Gilmer, Gorrell, Graham, Headen, Hicks, Holden, Houston of Union, Jonts of Rowan, Joyce, Leak of Anson, Long, Mann, McNeill of Cumberland, Merritt, Mitchell, Pettigrew, Phifer, Ruffin, Satterthwaite, Shipp, Smith of Halifax, Smith of Johnston, Smith of Macon, Speed, Sprouse, Spruill of Bertie, Spruill of Tyrrell, Turner, Walton, Warren, Washington, Whitford, Williams, Williamson and Winslow—53.

FOR MR. PATTERSON—Messrs. Ashe, Batchelor, Biggs, Bunting, Caldwell, Carson, Councill, Craige, Cunningham, Darden, Dillard, Durham, Edwards, Fuller, Grimes, Hargrove, Henkel, Holmes, Howard, Jones of Caldwell, Lander, McDowell of Bladen, McDowell of Burke, McDowell of Madison, McNeill of Harnett, Moody, Moseley, Myers, Penland, Reid, Rhodes, Royster, Sanders, Shaw, Stewart, Strong, Sutherland, Thomas of Carteret, Thomas of Jackson, Thompson, Thornton, Tracy, Venable, Winslow, Woodfin and Wooten—48.

The tellers reported that 101 votes had been given, and that Richard C. Puryear, having received a majority thereof, was duly elected, in which report the Convention concurred.

## FOR THE SEVENTH DISTRICT :

Mr. Lander nominated Burton Craige, of Rowan.

Mr. Holden nominated Wm. R. Myers, of Mecklenburg.

Messrs. Ferebee and Lander were appointed to superintend the election.



FOR MR. CRAIGE—Messrs. Ashe, Batchelor, Battle of Edgecombe, Biggs, Brodnax, Bunting, Caldwell, Carson, Cunningham, Darden, Dillard, Durham, Edwards, Foster of Ashe, Foy, Fuller, Gorrell, Grimes, Hargrove, Henkel, Hicks, Holmes, Houston of Union, Howard, Johnston, Jones of Caldwell, Jones of Rowan, Lander, McDowell of Bladen, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, McNeill of Harnett, Miller, Moody, Moseley, Patterson, Penland, Phifer, Reid, Rhodes, Royster, Ruffin, Satterthwaite, Shaw, Shipp, Smith of Halifax, Sprouse, Stewart, Strong, Sutherland, Thomas of Carteret, Thomas of Jackson, Thompson, Thornton, Tracy, Turner, Venable, Washington, Whitford, Williamson, Winslow, Woodfin and Wooten—64.

FOR MR. MYERS—Messrs. Allison, Armfield, Arrington, Badger, Barnes, Battle of Wake, Berry, Bond, Brown, Calloway, Cannon, Councill, Davidson, Dick, Douthitt, Eller, Ferebee, Gilmer, Graham, Headen, Holden, Joyce, Leak of Anson, Leak of Richmond, Long, Mann, Merritt, Myers, Pettigrew, Sanders, Smith of Jackson, Smith of Macon, Spruill of Bertie, Spruill of Tyrrell, Warren, Williamson and Wilson—37.

The tellers reported that 101 votes had been given, of which Burton Craige had received a majority, and was, therefore, duly elected, in which report the Convention concurred.

#### FOR THE EIGHTH DISTRICT:

Mr. Calloway nominated A. T. Davidson, of Cherokee.

Mr. McDowell, of Madison, nominated N. W. Woodfin, of Buncombe.

Messrs. Lander and Ferebee again superintended the election.

FOR MR. DAVIDSON—Messrs. Allison, Armfield, Arrington, Badger, Barnes, Battle of Wake, Berry, Bond, Brodnax, Brown, Calloway, Cannon, Councill, Dick, Douthitt, Eller, Ferebee, Foster of Ashe, Foy, Gilmer, Gorrell, Graham, Headen, Holden, Houston of Union, Jones of Caldwell, Jones of Rowan, Joyce, Leak of Anson, Leak of Richmond, Long, Mann, McNeill of Harnett, Merritt, Mitchell, Myers, Pettigrew, Rhodes,

Sanders, Satterthwaite, Shipp, Smith of Halifax, Smith of Johnston, Smith of Macon, Speed, Sprouse, Spruill of Bertie, Spruill of Tyrrell, Thomas of Carteret, Walton, Warren, Whitford, Williams, Williamson and Wilson—55.

FOR MR. WOODFIN—Messrs. Ashe, Batchelor, Battle of Edgecombe, Biggs, Bunting, Caldwell, Carson, Craige, Cunningham, Darden, Dillard, Durham, Edwards, Fuller, Hargrove, Henkel, Hicks, Holmes, Howard, Johnston, Lander, McDowell of Bladen, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, Miller, Moody, Moseley, Patterson, Penland, Phifer, Reid, Royster, Ruffin, Shaw, Stewart, Strong, Sutherland, Thomas of Jackson, Thompson, Thornton, Tracy, Turner, Venable, Washington, Winslow and Wooten—47.

The tellers reported that 102 votes had been given, and that Allen T. Davidson having received a majority thereof, was duly elected, and in this report the Convention concurred.

And so, the first Representatives of the State of North Carolina, in the Congress of the Confederate States of America are, Messrs. GEORGE DAVIS, WILLIAM W. AVERY, WILLIAM N. H. SMITH, THOMAS RUFFIN, THOMAS D. McDOWELL, ABRAHAM W. VENABLE, JOHN M. MOREHEAD, RICHARD C. PURYEAR, BURTON CRAIGE and ALLEN T. DAVIDSON.

On motion, the Convention then proceeded to the election of three commissioners of the Board of Claims.

The following gentlemen were put in nomination:

By Mr. Satterthwaite, B. F. Moore, of Wake.

By Mr. Spruill, of Bertie, Patrick H. Winston, of Bertie.

By Mr. Graham, Samuel F. Phillips, of Orange.

By Mr. Smith, of Macon, R. B. Vance, of Buncombe.

By Mr. Ruffin, John H. Dillard, of Rockingham.

By Mr. Lander, Vardry A. McBee, of Lincoln.

By Mr. Myers, Thomas A. Ashe, of Anson.

By Mr. Long, John Manning, Jr., of Chatham.

By Mr. Biggs, John Norfleet, of Edgecombe.

By Mr. Calloway, Samuel F. Patterson, of Caldwell.

By Mr. McDowell, of Bladen, J. J. B. Batchelor, of Warren.

By Mr. Moseley, Patrick Murphy, of Sampson.

By Mr. Kittrell, M. B. Lanier, of Granville.

By Mr. McDowell, of Burke, J. J. Erwin, of Burke.

Messrs. Kittrell and Foy were appointed to superintend the election.

FOR MR. MOORE—Messrs. Allison, Armfield, Arrington, Badger, Berry, Bond, Brodnax, Brown, Caldwell, Calloway, Cannon, Carson, Davidson, Douthitt, Eller, Ferebee, Foster of Ashe, Foy, Gorrell, Graham, Greenlee, Grimes, Hicks, Holden, Jones of Caldwell, Jones of Rowan, Leak of Anson, Leak of Richmond, Mann, Mitchell, Pettigrew, Rayner, Ruffin, Sanders, Satterthwaite, Smith of Halifax, Smith of Johnston, Smith of Macon, Speed, Sprouse, Spruill of Bertie, Thomas of Carteret, Thornton, Warren, Whitford, Williams, Wilson and Wooten—48.

FOR MR. WINSTON—Messrs. Badger, Barnes, Batchelor, Bond, Brodnax, Cannon, Davidson, Dick, Douthitt, Durham, Ferebee, Foy, Fuller, Gilmer, Gorrell, Jones of Caldwell, Leak of Anson, Mann, McNeill of Harnett, Meares, Miller, Myers, Pettigrew, Rayner, Satterthwaite, Smith of Johnston, Smith of Macon, Speed, Spruill of Bertie, Spruill of Tyrrell, Strong, Sutherland, Tracy, Walton, Warren, Whitford and Williams—37.

FOR MR. VANCE—Messrs. Councill, Davidson, Hicks, McDowell of Madison, Penland, Shipp, Smith of Johnston, Smith of Macon, Sprouse, Turner and Woodfin—11.

FOR MR. DILLARD—Messrs. Biggs, Brodnax, Brown, Cunningham, Darden, Dick, Dillard, Edwards, Foster of Ashe, Gorrell, Greenlee, Hargrove, Johnston, Joyce, Long, McNeill of Cumberland, Mitchell, Moody, Reid, Royster, Ruffin, Shaw, Venable, Washington, Williamson and Wilson—26.

FOR MR. MCBEE—Messrs. Caldwell, Carson, Craige, Durham, Graham, Henkel, Johnston, Lander, McDowell of Burke, Meares, Miller, Patterson, Penland, Reid, Satterthwaite, Stewart and Tracy—17.

FOR MR. ASHE—Messrs. Ashe, Barnes, Bunting, Cunningham, Dillard, Holmes, Houston of Union, Howard, Jones of Rowan, Leak of Anson, Leak of Richmond, McDowell of Bladen, McNeill of Harnett, Moody, Myers, Pettigrew, Royster,

Ruffin, Shipp, Spruill of Bertie, Sutherland, Venable, Walton and Washington—24.

FOR MR. MANNING—Messrs. Armfield, Arrington, Battle of Wake, Brown, Dick, Gilmer, Headen, Holden, Joyce, Kittrell, Long, Mann, Merritt, Smith of Halifax, Thomas of Carteret, Turner and Warren—17.

FOR MR. PHILLIPS—Messrs. Allison, Armfield, Badger, Battle of Edgecombe, Battle of Wake, Berry, Biggs, Bond, Cannon, Carson, Darden, Durham, Eller, Ferebee, Foy, Fuller, Graham, Grimes, Headen, Hicks, Holden, Houston of Union, Howard, Jones of Rowan, Lander, Long, Merritt, Miller, Myers, Rayner, Sanders, Shipp, Speed, Sprouse, Spruill of Tyrrell, Stewart, Strong, Thomas of Carteret, Tracy, Walton, Williamson and Wooten—42.

FOR MR. NORFLEET—Messrs. Barnes, Battle of Edgecombe, Biggs, Bunting, Craige, Darden, Hargrove, Houston of Union, Howard, Moody, Rhodes, Shaw, Thompson, Thornton and Williamson—15.

FOR MR. PATTERSON—Messrs. Allison, Caldwell, Calloway, Council, Edwards, Eller, Foster of Ashe, Gilmer, Greenlee, Jones of Caldwell, Joyce, Kittrell, McDowell of Burke, McDowell of Madison, Mitchell, Moseley, Penland, Rhodes, Stewart and Wilson—20.

FOR MR. BATCHELOR—Messrs. Arrington, Ashe, Batchelor, Battle of Edgecombe, Battle of Wake, Dillard, Edwards, Fuller, Grimes, Holmes, Lander, Leak of Richmond, McDowell of Bladen, McNeill of Cumberland, McNeill of Harnett, Meares, Meritt, Moseley, Patterson, Reid, Royster, Sanders, Shaw, Smith of Halifax, Spruill of Bertie, Strong, Sutherland, Thompson, Thornton, Turner, Whitford, Williams and Woodfin—33.

FOR MR. MURPHY—Messrs. Ashe, Batchelor, Bunting, Caldwell, Calloway, Cunningham, Hargrove, Henkel, Holmes, McDowell of Bladen, McNeill of Cumberland, Moseley, Patterson, Rhodes, Thompson, Venable, Washington and Wooten—17.

FOR MR. LANIER—Messrs. Berry, Douthitt, Headen and Kittrell—4.

FOR MR. ERWIN—Messrs. Craige, Henkel, Johnston, McDowell of Burke, McDowell of Madison, and Woodfin—6.

The tellers reported that 104 votes had been given, and that no person having received a majority thereof, there was no election, in which report the Convention concurred.

The Convention then proceeded to the election a second time, as follows:

FOR MR. MOORE—Messrs. Allison, Armfield, Arrington, Batchelor, Berry, Bond, Brodnax, Brown, Calloway, Cannon, Carson, Councill, Cunningham, Darden, Douthitt, Eller, Ellison, Ferebee, Foster of Ashe, Foy, Gilmer, Gorrell, Graham, Greenlee, Grimes, Hicks, Holden, Jones of Caldwell, Jones of Rowan, Joyce, Kittrell, Leak of Anson, Leak of Richmond, Mann, McNeill of Harnett, Mitchell, Myers, Pettigrew, Rayner, Rhodes, Ruffin, Sanders, Satterthwaite, Smith of Halifax, Smith of Johnston, Smith of Macon, Speed, Sprouse, Thomas of Carteret, Thornton, Tracy, Turner, Walton, Whitford, Williams and Wilson—56.

FOR MR. WINSTON—Messrs. Arrington, Badger, Barnes, Batchelor, Berry, Biggs, Bond, Brodnax, Brown, Cannon, Councill, Dick, Douthitt, Durham, Ferebee, Foster of Ashe, Foy, Fuller, Gilmer, Gorrell, Hicks, Holden, Houston of Union, Jones of Gaston, Leak of Anson, Long, Mann, Mearès, Merritt, Miller, Moody, Pettigrew, Rayner, Shaw, Shipp, Smith of Halifax, Smith of Johnston, Smith of Macon, Speed, Spruill of Bertie, Spruill of Tyrrell, Strong, Sutherland, Thomas of Carteret, Tracy, Turner, Venable, Walton, Washington, Whitford and Williams—51.

FOR MR. PHILLIPS—Messrs. Allison, Armfield, Badger, Battle of Edgecombe, Battle of Wake, Berry, Biggs, Bunting, Caldwell, Cannon, Carson, Darden, Davidson, Dick, Douthitt, Durham, Edwards, Eller, Ellison, Foy, Fuller, Gorrell, Graham, Grimes, Headen, Hicks, Holmes, Howard, Johnston, Jones of Rowan, Kittrell, Lander, Long, Merritt, Miller, Patterson, Rayner, Royster, Sanders, Satterthwaite, Speed, Sprouse, Stewart, Strong, Thomas of Carteret, Turner, Washington, Williamson and Wooten—49.

FOR MR. BATCHELOR—Messrs. Arrington, Batchelor, Battle of Edgecombe, Battle of Wake, Bond, Bunting, Calloway, Dar-

den, Dillard, Edwards, Ferebee, Fuller, Grimes, Hargrove, Holden, Holmes, Houston of Union, Lander, Leak of Richmond, McDowell of Bladen, McNeill of Cumberland, McNeill of Harnett, Meares, Merritt, Moody, Moseley, Reid, Rhodes, Royster, Sanders, Shaw, Smith of Halifax, Smith of Johnston, Sprouse, Spruill of Bertie, Spruill of Tyrrell, Stewart, Strong, Sutherland, Thompson, Thornton, Walton, Whitford, Williams, Williamson, Woodfin and Wooten—46.

FOR MR. ASHE—Messrs. Barnes, Battle of Wake, Bunting, Caldwell, Craige, Cunningham, Dillard, Edwards, Ellison, Headen, Henkel, Holmes, Houston of Union, Howard, Jones of Rowan, Leak of Anson, Leak of Richmond, McNeill of Cumberland, Moody, Myers, Pettigrew, Ruffin, Shipp, Spruill of Tyrrell, Sutherland, Washington and Wooten—27.

FOR MR. PATTERSON—Messrs. Allison, Calloway, Council, Eller, Foster of Ashe, Gilmer, Graham, Greenlee, Jones of Caldwell, Joyce, Mann, McDowell of Burke, McDowell of Madison, Miller, Mitchell, Moseley, Rhodes, Smith of Macon, Wilson and Woodfin—20.

FOR MR. MCBEE—Messrs. Barnes, Carson, Craige, Durham, Hargrove, Henkel, Howard, Johnston, Lander, McDowell of Bladen, McDowell of Burke, McDowell of Madison, Meares, Patterson, Penland, Reid, Satterthwaite, Shipp, Spruill of Bertie, Stewart, Thompson, Tracy, Venable and Woodfin—24.

FOR MR. DILLARD—Messrs. Batchelor, Battle of Edgecombe, Biggs, Brodnax, Brown, Caldwell, Craige, Cunningham, Darden, Davidson, Dick, Dillard, Greenlee, Hargrove, Headen, Henkel, Johnston, Joyce, Kittrell, Long, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, McNeill of Harnett, Mitchell, Moseley, Patterson, Penland, Reid, Royter, Ruffin, Shaw, Thompson, Thornton, Venable, Williamson and Wilson—37.

Messrs. Erwin, Murphy, Lanier, Manning, Norfleet and Vance, had been withdrawn before the vote was taken.

The tellers reported that 104 votes had been given, and that B. F. Moore, having received a majority thereof, was duly elected, and in this report the Convention concurred.

The Convention then proceeded to the election of the remaining two Commissioners, the same gentlemen superintending, and the names of Messrs. Ashe, McBee and Patterson being withdrawn.

FOR MR. WINSTON—Messrs. Allison, Armfield, Arrington, Ashe, Badger, Barnes, Batchelor, Berry, Biggs, Bond, Brodnax, Brown, Calloway, Cannon, Davidson, Dick, Dillard, Douthitt, Durham, Eller, Ferebee, Foster of Ashe, Foy, Fuller, Gilmer, Hargrove, Henkel, Hicks, Holden, Houston of Union, Jones of Caldwell, Jones of Rowan, Leak of Anson, Leak of Richmond, Long, Mann, McNeill of Harnett, Meares, Miller, Mitchell, Moody, Pettigrew, Rayner, Sanders, Satterthwaite, Shipp, Smith of Halifax, Smith of Johnston, Smith of Macon, Speed, Sprouse, Spruill of Bertie, Spruill of Tyrrell, Sutherland, Thomas of Carteret, Tracy, Turner, Venable, Walton, Whitford, Williams and Woodfin—63.

FOR MR. PHILLIPS—Messrs. Allison, Armfield, Badger, Battle of Edgecombe, Battle of Wake, Berry, Bond, Bunting, Calloway, Cannon, Carson, Council, Cunningham, Darden, Davidson, Dick, Douthitt, Durham, Edwards, Eller, Ellison, Foster of Ashe, Foy, Gilmer, Gorrell, Graham, Grimes, Headen, Hicks, Holden, Holmes, Houston of Union, Howard, Johnston, Jones of Caldwell, Jones of Rowan, Joyce, Kittrell, Lander, Leak of Anson, Long, Mann, Merritt, Miller, Moseley, Patterson, Pettigrew, Rayner, Ruffin, Sanders, Satterthwaite, Shipp, Smith of Johnston, Smith of Macon, Speed, Sprouse, Strong, Thomas of Carteret, Tracy, Turner, Walton, Washington, Williamson, Wilson and Wooten—65.

FOR MR. DILLARD—Messrs. Biggs, Brodnax, Brown, Carson, Council, Craige, Cunningham, Dillard, Gorrell, Graham, Greenlee, Hargrove, Henkel, Holmes, Johnston, Joyce, Kittrell, McDowell of Bladen, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, McNeill of Harnett, Meares, Mitchell, Patterson, Penland, Reid, Rhodes, Royster, Ruffin, Shaw, Spruill of Bertie, Stewart, Thompson, Thornton, Venable, Washington, Williamson and Wilson—39.

FOR MR. BATCHELOR—Messrs. Arrington, Ashe, Barnes, Batchelor, Battle of Edgecombe, Battle of Wake, Bunting, Craige, Darden, Edwards, Ferebee, Fuller, Greenlee, Grimes, Headen Howard, Lander, Leak of Richmond, McDowell of Bladen, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, Merritt, Moody, Moseley, Penland, Reid, Rhodes, Shaw, Smith of Halifax, Spruill of Tyrrell, Stewart, Strong, Sutherland, Thompson, Thornton, Whitford, Williams, Woodfin and Wooten—40.

FOR MR. MCBEE—Mr. Ellison—1.

The tellers reported that Samuel F. Phillips and Patrick H. Winston, Jr., had each received a majority of the votes given, and were, therefore, duly elected, and in this report the Convention concurred.

Mr. Jones, of Rowan, moved to reconsider the vote of yesterday by which the ordinance relating to a meeting of the General Assembly was rejected.

Mr. Ashe moved that said motion lie on the table, and before any decision thereon,

On motion of Mr. Badger, the Convention adjourned.

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#### IN CONVENTION, WEDNESDAY, June 19, 1861.

The President took the chair and called the Convention to order. Prayer by Rev. Thomas E. Skinner, of the Baptist Church.

The journal of yesterday was read and approved.

Mr. Battle, of Wake, from the committee on Enrollments, reported that the following ordinance and resolutions had been examined and found correct:

An ordinance defining treason against the State.

A resolution in favor of L. W. Joyner.

A resolution in regard to flag of the first regiment of N. C. volunteers, and the inscription thereon.

Which were severally signed by the President and attested by the Secretaries.



Mr. Ruffin offered a resolution in regard to the acceptance of cavalry companies for the war or for twelve months, which passed its first reading.

Mr. Smith, of Johnston, from the select committee to whom the subject had been referred, reported an ordinance in relation to oaths of fidelity and allegiance, which passed its first reading.

Mr. Armfield offered a resolution asking information of the Governor, as to the removal of the names of certain officers of the militia of Yadkin county from the militia rolls of the State, which lies over one day.

The resolution of Mr. Gorrell relating to the printing the Articles of War and Army Regulations of the Confederate States, was then read the third time, passed and ordered to be enrolled.

The resolution of Mr. Thomas, of Jackson, in regard to the basis of representation, was taken up and referred to the committee on Revenue and Taxation.

The resolution of Mr. Davidson in regard to the payment of coupons on the bonds of the State, held by our enemies, was referred to the Committee of Finance.

The proposed amendment to the Rules of Order, by Mr. Battle, of Wake, was taken up, and the question being put thereon, it was not agreed to.

The resolution fixing the compensation of the President and officers of the Convention, passed its third reading and was ordered to be enrolled.

The resolution proposing to raise troops west of the Blue Ridge, for the defense of that part of the State was, on motion of Mr. Biggs, ordered to lie on the table.

The resolution of Mr. Battle, of Wake, asking information of the Governor in regard to the appointments to military office, was read the second time, when Mr. Biggs called for the orders of the day, the hour for the consideration thereof having arrived.

Mr. Battle, of Wake, moved to postpone the same, until his resolution was disposed of, and it was agreed to.

Whereupon, Mr. Ruffin moved to amend the resolution as follows: "And in case it is necessary, to enable the Governor

to give this information, he shall be authorized to employ an additional clerk," which was agreed to, and as thus amended the resolution was adopted.

The orders of the day then coming up, Mr. Batchelor moved to postpone the same, in order to take up the resolution of Mr. Jones, of Rowan, to re-consider the vote by which the ordinance relating to the meeting of the General Assembly was rejected.

On this motion a debate arose, and a question of order was raised, whether parliamentary law allowed a discussion on a motion to postpone, that the body might consider a motion to re-consider when there was a pending motion to lay on the table the motion to re-consider. [See proceedings at the close of afternoon session of yesterday.]

The President decided that the motion to lay on the table was not the motion now before the Convention, but that it was the motion of the gentleman from Halifax, (Mr. Batchelor,) to postpone another subject in order that the Convention might consider the motion made yesterday, by the gentleman from New Hanover, (Mr. Ashe,) therefore, it was parliamentary to give the reason why the motion to postpone should prevail, but that members should confine themselves to that, and not discuss the questions involved in the motion to reconsider.

On the motion to postpone, the ayes and noes were ordered, on motion of Mr. Ellison, and resulted in the affirmative, as follows :

AYES—Messrs. Allison, Armfield, Arrington, Badger, Barnes, Batchelor, Battle of Edgecombe, Battle of Wake, Berry, Bond, Brown, Calloway, Cannon, Christian, Councill, Davidson, Dick, Douthitt, Eller, Ellison, Ferebee, Foster of Ashe, Gilmer, Gorrell, Graham, Hearne, Holden, Houston of Union, Jones of Caldwell, Jones of Rowan, Kittrell, Leak of Anson, Leak of Richmond, Long, Mann, McNeill of Harnett, Merritt, Myers, Penland, Pettigrew, Rayner, Rhodes, Shipp, Smith of Halifax, Smith of Johnston, Smith of Macon, Speed, Sprouse, Spruill of Tyrrell, Warren, Washington, Williams, Williamson, Wilson and Woodfin—55.

NOES—Messrs. Biggs, Brodnax, Bunting, Caldwell, Carson, Craige, Cunningham, Darden, Dillard, Durham, Edwards, Foy, Fuller, Greenlee, Grimes, Hargrove, Headen, Henkel, Hicks, Holmes, Howard, Johnston, Lander, McDowell of Bladen, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, Miller, Mitchell, Moody, Moseley, Osborne, Patterson, Reid, Royster, Ruffin, Sanders, Satterthwaite, Shaw, Spruill of Bertie, Stewart, Sutherland, Thomas of Carteret, Thomas of Jackson, Thompson, Thornton, Tracy, Turner, Venable, Walton and Wooten—51.

So the motion prevailed, and the question now being, will the Convention order the motion to re-consider the ordinance relating to the meeting of the General Assembly, to lie on the table? the ayes and noes were ordered, on motion of Mr. Ferebee, and resulted in the negative, as follows:

AYES—Messrs. Ashe, Battle of Edgecombe, Biggs, Bunting, Caldwell, Carson, Craige, Darden, Dillard, Durham, Edwards, Foy, Greenlee, Grimes, Hargrove, Henkel, Hicks, Holmes, Howard, Lander, McDowell of Bladen, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, Miller, Mitchell, Moody, Moseley, Osborne, Patterson, Reid, Royster, Ruffin, Satterthwaite, Shaw, Stewart, Strong, Sutherland, Thomas of Jackson, Thompson, Thornton, Tracy, Venable and Wooten—42.

NOES—Messrs. Allison, Armfield, Arrington, Badger, Barnes, Batchelor, Battle of Wake, Berry, Bond, Brodnax, Brown, Calloway, Cannon, Christian, Councill, Cunningham, Davidson, Dick, Douthitt, Eller, Ellison, Ferebee, Foster of Ashe, Fuller, Gilmer, Gorrell, Graham, Headen, Hearne, Holden, Houston of Union, Johnston, Jones of Caldwell, Jones of Rowan, Kittrell, Leak of Anson, Leak of Richmond, Long, Mann, McNeill of Harnett, Merritt, Myers, Penland, Pettigrew, Phifer, Rayner, Rhodes, Sanders, Shipp, Smith of Halifax, Smith of Johnston, Smith of Macon, Speed, Sprouse, Spruill of Bertie, Spruill of Tyrrell, Thomas of Carteret, Turner, Walton, Warren, Washington, Williams, Williamson, Wilson and Woodfin—64.

The question then recurred on the motion to re-consider, on which the ayes and noes were ordered, on motion of Mr. Ashe, and resulted in the affirmative, as follows:

AYES—Messrs. Allison, Armfield, Arrington, Badger, Bachelor, Battle of Wake, Berry, Bond, Brown, Calloway, Cannon, Christian, Councill, Cunningham, Davidson, Dick, Douthitt, Eller, Ellison, Ferebee, Foster of Ashe, Fuller, Gilmer, Gorrell, Graham, Headen, Hearne, Holden, Houston of Union, Jones of Caldwell, Jones of Rowan, Kittrell, Leak of Anson, Leak of Richmond, Long, Mann, McNeill of Harnett, Merritt, Myers, Pettigrew, Phifer, Rayner, Rhodes, Sanders, Shipp, Smith of Halifax, Smith of Johnston, Smith of Macon, Speed, Sprouse, Spruill of Tyrrell, Thomas of Carteret, Warren, Washington, Williams, Williamson and Wilson—57.

NOES—Messrs. Ashe, Barnes, Battle of Edgecombe, Biggs, Brodnax, Bunting, Caldwell, Carson, Craige, Darden, Dillard, Durham, Edwards, Foy, Greenlee, Grimes, Hargrove, Henkel, Hicks, Holmes, Howard, Johnston, Lander, McDowell of Bladen, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, Miller, Mitchell, Moody, Moseley, Patterson, Penland, Reid, Royster, Ruffin, Satterthwaite, Shaw, Spruill of Bertie, Stewart, Strong, Sutherland, Thomas of Jackson, Thompson, Thornton, Tracy, Turner, Venable, Walton, Woodfin and Wooten—51.

The Convention having agreed to re-consider, the question was, Shall this ordinance pass its third reading?

Mr. Howard moved to amend the same by adding a clause, requiring the General Assembly to meet on the 15th day of August.

Pending the consideration of which, the hour therefor arrived, and the Convention took a recess until 4 o'clock, P. M.

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4 O'CLOCK, P. M.

The Convention re-assembled and resumed the consideration of the business pending at the hour of recess, being the amendment of Mr. Howard.

On this question the ayes and noes were ordered, on motion of Mr. Howard, and resulted in the adoption of the amendment, as follows:

AYES—Messrs. Allison, Ashe, Badger, Batchelor, Battle of Edgecombe, Biggs, Brodnax, Brown, Bunting, Caldwell, Calloway, Councill, Craige, Darden, Davidson, Dillard, Durham, Edwards, Eller, Ellison, Gilmer, Gorrell, Greenlee, Grimes, Hargrove, Henkel, Hicks, Holmes, Howard, Johnston, Jones of Rowan, Lander, Leak of Richmond, Mann, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, McNeill of Harnett, Merritt, Miller, Mitchell, Moody, Moseley, Osborne, Patterson, Penland, Pettigrew, Phifer, Rhodes, Royster, Ruffin, Sanders, Shaw, Shipp, Smith of Halifax, Smith of Johnston, Smith of Macon, Speed, Sprouse, Spruill of Tyrrell, Strong, Sutherland, Thompson, Thornton, Tracy, Venable, Walton, Williamson, Wilson and Wooten—70.

NOES—Messrs. Armfield, Arrington, Battle of Wake, Berry, Cannon, Carson, Christian, Cunningham, Dick, Douthitt, Ferebee, Foy, Graham, Headen, Hearne, Holden, Houston of Union, Jones of Caldwell, Kittrell, McDowell of Bladen, Rayner, Satterthwaite, Thomas of Carteret, Thomas of Jackson, Washington, Williams and Woodfin—27.

The question was then on the final passage of the ordinance, as amended, on which the ayes and noes were ordered, on motion of Mr. Thompson, and resulted in the affirmative, as follows:

AYES—Messrs. Allison, Armfield, Arrington, Badger, Batchelor, Battle of Wake, Berry, Bond, Brown, Bunting, Calloway, Cannon, Christian, Councill, Davidson, Dick, Douthitt, Eller, Ellison, Ferebee, Foster of Ashe, Gilmer, Gorrell, Graham, Headen, Hicks, Holden, Houston of Union, Howard, Jones of Caldwell, Jones of Rowan, Joyce, Kittrell, Leak of Richmond, McNeill of Harnett, Merritt, Miller, Mitchell, Osborne, Patterson, Penland, Pettigrew, Phifer, Rhodes, Sanders, Shipp, Smith of Halifax, Smith of Johnston, Smith of Macon, Speed, Sprouse, Spruill of Bertie, Spruill of Tyrrell, Strong, Thomas of Carteret, Walton, Warren, Washington, Williamson and Wilson—60.

NOES—Messrs. Ashe, Battle of Edgecombe, Biggs, Brodnax, Caldwell, Carson, Craige, Cunningham, Darden, Dillard, Durham, Edwards, Foy, Greenlee, Grimes, Hargrove, Hearne, Henkel, Holmes, Johnston, Lander, McDowell of Bladen, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, Moody, Moseley, Royster, Ruffin, Satterthwaite, Shaw, Sutherland, Thomas of Jackson, Thompson, Thornton, Tracy, Turner, Venable, Williams, Woodfin and Wooten—40.

The ordinance having passed its third and last reading, was ordered to be enrolled.

Mr. Howard moved to re-consider the vote by which the ordinance passed its third reading, and it was not agreed to.

On motion of Mr. Biggs, the Convention proceeded to the consideration of the resolution relating to the adjournment of this body on Saturday next.

Mr. Ellison moved to strike out the word "next," and insert the words, "29th instant."

Mr. Meares moved that the subject lie on the table, on which the ayes and noes were ordered, on motion of Mr. Biggs, and resulted in the negative, as follows:

AYES—Messrs. Allison, Armfield, Arrington, Badger, Batchelor, Battle of Wake, Berry, Bond, Cannon, Christian, Davidson, Dick, Douthitt, Ferebee, Gilmer, Gorrell, Graham, Hearne, Holden, Houston of Union, Jones of Caldwell, Jones of Rowan, Joyce, Kittrell, Long, Mann, McNeill of Cumberland, McNeill of Harnett, Meares, Merritt, Pettigrew, Rhodes, Ruffin, Sanders, Shipp, Sprouse, Thomas of Carteret, Turner, Warren, Wilson and Woodfin—41.

NOES—Messrs. Ashe, Battle of Edgecombe, Biggs, Brown, Bunting, Caldwell, Calloway, Carson, Council, Craige, Cunningham, Darden, Dillard, Durham, Edwards, Eller, Ellison, Foster of Ashe, Foy, Greenlee, Grimes, Hargrove, Henkel, Hicks, Holmes, Howard, Johnston, Lander, Leak of Richmond, McDowell of Bladen, McDowell of Burke, McDowell of Madison, Miller, Mitchell, Moody, Moseley, Osborne, Patterson, Penland, Rayner, Royster, Satterthwaite, Shaw, Smith of Halifax, Smith of Johnston, Speed, Spruill of Bertie, Strong,

Sutherland, Thomas of Jackson, Thompson, Thornton, Tracy, Venable, Walton, Washington, Williams, Williamson and Wooten—59.

Mr. Graham moved to postpone the further consideration of the subject until Tuesday next, on which motion the ayes and noes were ordered, on motion of Mr. Armfield, and resulted in the negative, as follows :

AYES—Messrs. Allison, Armfield, Arrington, Badger, Bachelor, Battle of Wake, Berry, Bond, Cannon, Christian, Councill, Davidson, Dick, Douthitt, Ferebee, Gilmer, Gorrell, Graham, Headen, Holden, Houston of Union, Jones of Caldwell, Jones of Rowan, Kittrell, Long, Mann, McNeill of Cumberland, McNeill of Harnett, Meares, Merritt, Mitchell, Pettigrew, Rhodes, Ruffin, Sanders, Shipp, Smith of Halifax, Smith of Macon, Speed, Sprouse, Spruill of Bertie, Spruill of Tyrrell, Thomas of Carteret, Turner, Warren, Washington, Wilson and Woodfin—48.

NOES—Messrs. Ashe, Battle of Edgecombe, Biggs, Brown, Bunting, Caldwell, Calloway, Carson, Craige, Cunningham, Darden, Dillard, Durham, Edwards, Eller, Ellison, Foster of Ashe, Foy, Fuller, Greenlee, Hargrove, Hearne, Henkel, Hicks, Holmes, Howard, Johnston, Joyce, Lander, Leak of Richmond, McDowell of Bladen, McDowell of Burke, McDowell of Madison, Miller, Moody, Moseley, Osborne, Patterson, Penland, Phifer, Rayner, Royster, Satterthwaite, Shaw, Smith of Johnston, Strong, Sutherland, Thomas of Jackson, Thompson, Thornton, Tracy, Venable, Walton, Williams, Williamson and Wooten—56.

The question was then on the amendment of Mr. Ellison, and on his motion the ayes and noes were ordered, and resulted in the negative, as follows :

AYES—Messrs. Allison, Arrington, Badger, Battle of Wake, Berry, Bond, Cannon, Christian, Councill, Davidson, Dick, Eller, Ellison, Fuller, Gilmer, Graham, Holden, Jones of Caldwell, Jones of Rowan, Joyce, Kittrell, Long, Mann, McNeill of Cumberland, McNeill of Harnett, Meares, Merritt, Osborne, Patterson, Penland, Pettigrew, Rayner, Rhodes, Ruffin, Smith

of Halifax, Smith of Johnston, Smith of Macon, Speed, Sprouse, Spruill of Bertie, Spruill of Tyrrell, Thomas of Carteret, Turner, Walton, Warren, Wilson and Woodfin—47.

NOES—Messrs. Armfield, Ashe, Batchelor, Battle of Edgecombe, Biggs, Brodnax, Brown, Bunting, Caldwell, Calloway, Carson, Craige, Cunningham, Darden, Dillard, Douthitt, Durham, Edwards, Foster of Ashe, Foy, Gorrell, Greenlee, Hargrove, Headen, Hearne, Henkel, Hicks, Holmes, Houston of Union, Howard, Johnston, Lander, Leak of Richmond, McDowell of Bladen, McDowell of Burke, McDowell of Madison, Miller, Mitchell, Moody, Moseley, Myers, Phifer, Royster, Sanders, Satterthwaite, Shaw, Strong, Sutherland, Thomas of Jackson, Thompson, Thornton, Tracy, Venable, Washington, Williams, Williamson and Wooten—56.

Mr. Smith, of Johnston, moved to amend by striking out "Saturday," and inserting "Friday," and it was not agreed to.

Mr. Kittrell moved the indefinite postponement of the whole subject, which was not agreed to.

On motion, the words "Saturday next" were stricken out, and "Wednesday, the 27th instant," inserted.

On motion of Mr. Badger, the question was divided, so that the vote shall first be on that part of the resolution relating to adjournment, and on this question the ayes and noes were ordered, on motion of Mr. Smith, of Johnston, and resulted in the affirmative, as follows :

AYES—Messrs. Ashe, Battle of Edgecombe, Biggs, Bond, Brodnax, Brown, Bunting, Caldwell, Carson, Craige, Cunningham, Darden, Dillard, Durham, Edwards, Eller, Ellison, Foy, Fuller, Grimes, Hargrove, Hearne, Henkel, Hick, Holmes, Houston of Union, Howard, Johnston, Lander, Leak of Richmond, McDowell of Bladen, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, McNeill of Harnett, Merritt, Miller, Mitchell, Moody, Moseley, Osborne, Penland, Phifer, Rhodes, Royster, Ruffin, Satterthwaite, Shaw, Smith of Halifax, Speed, Sprouse, Spruill of Bertie, Stewart, Strong, Sutherland, Thomas of Jackson, Thompson, Thornton, Tracy, Venable, Walton, Washington, Williams, Williamson and Wooten—65.



NOES—Messrs. Allison, Armfield, Arrington, Badger, Batchelor, Battle of Wake, Berry, Calloway, Cannon, Christian, Councill, Davidson, Dick, Douthitt, Ferebee, Foster of Ashe, Gilmer, Gorrell, Graham, Green, Greenlee, Headen, Holden, Jones of Caldwell, Jones of Rowan, Joyce, Kittrell, Long, Mann, Myers, Patterson, Pettigrew, Sanders, Shipp, Smith of Johnston, Smith of Macon, Spruill of Tyrrell, Thomas of Carteret, Turner, Warren, Wilson and Woodfin—42.

The first branch of the resolution being adopted, the question was on the second branch, relating to the re-assembling of the Convention.

Mr. Badger moved to strike out the word, "November," and insert, "October."

Mr. Howard asked a division of the question so as to vote first on striking out, and on this the ayes and noes were ordered, on motion of Mr. Speed, and resulted in the negative, as follows:

AYES—Messrs. Armfield, Arrington, Badger, Battle of Wake, Calloway, Cannon, Christian, Darden, Davidson, Dick, Douthitt, Edwards, Ellison, Ferebee, Fuller, Gilmer, Green, Grimes, Headen, Hicks, Holden, Jones of Rowan, Joyce, Kittrell, Leak of Richmond, McNeill of Cumberland, McNeill of Harnett, Meares, Moody, Patterson, Rayner, Rhodes, Sanders, Satterthwaite, Smith of Halifax, Smith of Johnston, Smith of Macon, Sprouse, Spruill of Bertie, Sutherland, Thomas of Carteret, and Warren—42.

NOES—Messrs. Allison, Ashe, Batchelor, Battle of Edgecombe, Berry, Biggs, Bond, Brodnax, Brown, Bunting, Caldwell, Carson, Cunningham, Dillard, Durham, Eller, Foster of Ashe, Foy, Graham, Hargrove, Hearne, Henkel, Holmes, Houston of Union, Howard, Johnston, Jones of Caldwell, Lander, Long, Mann, McDowell of Burke, McDowell of Madison, Merritt, Miller, Mitchell, Moseley, Myers, Osborne, Penland, Pettigrew, Phifer, Royster, Shaw, Speed, Spruill of Tyrrell, Stewart, Strong, Thomas of Jackson, Thompson, Thornton, Tracy, Turner, Venable, Walton, Washington, Williams, Williamson, Wilson, Woodfin and Wooten—61.

Mr. Long moved to strike out the word, "first," and insert, "third," before the word "November," and it was agreed to.

Mr. Green moved to lay the subject on the table, and it was not agreed to.

On motion of Mr. Badger, the words, "of any five members," were stricken out, and the words "of Messrs. Ruffin, Graham, Biggs, Brown and Osborne, or any three of them," were inserted.

The question was then on the passage of the resolution as amended, on its third reading, and it was decided in the affirmative.

Mr. Biggs moved to re-consider the vote just taken.

Mr. Meares moved to lay that motion on the table, and it was not agreed to.

On motion of Mr. Mitchell, leave of absence was granted to Mr. Calloway, from and after Monday next.

On motion of Mr. Speed, leave of absence was granted to Mr. Moody, from and after Saturday next.

On motion of Mr. Ashe, leave of absence was granted to Mr. Wooten, from and after Friday next.

On motion of Mr. Ruffin, the ordinance to amend the 2nd Section of the fourth Article of the Amendments to the Constitution, was then taken up and put upon its third reading.

Mr. Hargrove moved to amend as follows: Strike out all after the ordaining clause, and insert, "No person who shall deny the being of God, shall be capable of holding any office or place of trust or profit in the civil department within this State," and it was not agreed to.

The ordinance then passed the third reading and was ordered to be enrolled.

The Convention then took up the ordinance providing payment to Sheriffs for holding the elections of members of this Convention.

Then, on motion of Mr. Badger, the Convention adjourned.

IN CONVENTION, THURSDAY, June 20, 1861.

The President took the chair and called the Convention to order. Prayer by Rev. Dr. Richard S. Mason, of the P. E. Church.

The journal of yesterday was read and approved.

Mr. Speed introduced an ordinance to amend the 1st Section of the 1st Article of the amendments to the Constitution, which passed the first reading.

Mr. Williams offered a resolution instructing the committee on Common Schools to inquire into the propriety of suspending the public schools during the war, and appropriating the annual revenue therefor to the uses of the State, which was agreed to.

Mr. Thomas, of Jackson, offered a resolution instructing the committee on Common Schools to inquire into the expediency of amending the Constitution of the State upon that subject, which was ordered to lie on the table.

The resolution allowing members of the Convention, elected to fill vacancies, to sign the ordinance of secession, was taken up for consideration, and on motion of Mr. Badger, ordered to lie on the table.

The resolution in regard to bills of credit, was also ordered to lie on the table.

On motion of Mr. Graham, Capt. John L. Bridgers, of the Edgecombe Guards, who bore a conspicuous and honorable part in the recent battle of Bethel Church, was invited to a seat within the bar of the Convention.

The resolution in relation to Elizabeth Chavis and her infant child, free persons of color of Wake county, was taken up and referred to the committee on free persons of color.

The ordinance to amend the 4th Section of the 4th Article of Amendments to the Constitution, was then taken up and passed its second reading, and, the rules being suspended, passed its third reading, and ordered to be enrolled.

The ordinance relative to the conferring brevet rank in certain cases, was read the second time, and on motion of Mr. Graham, postponed until Thursday next.

Mr. Washington introduced a resolution declaring that the act of the General Assembly, commonly known as the "Stay Law," needs amendment, and proposing a committee to report an ordinance on that subject, just to creditors and debtors, which passed its first reading.

The ordinance providing compensation to Sheriffs for holding elections of members of this Convention, was taken up, passed its third reading and ordered to be enrolled.

The resolution asking certain information in regard to the State troops and volunteers, then passed its third reading and was ordered to be enrolled.

The ordinance heretofore introduced by Mr. Graham, in regard to the disposition of the forces of the State, was then taken up on its second reading, to which he offered the following amendment: Fill the blank in the second Section, line third, with the words, "15th of July," and with the same in Section four, line six, and insert as an additional section,

*Be it further ordained,* That the above forces and vessels of this State be transferred to the said Confederate States, upon the same terms and conditions that are provided as to the State troops, in the second section of this ordinance.

In section six, after the word "discharged," in line 13, the words, "and that no staff officers of any of said troops shall be retained in the service of the State after the transfer or muster into the service of the Confederate States, as aforesaid, but shall be, in like manner, discharged, unless accepted into the service of the said Confederate States."

And add, as Sections 9, 10, and 11, the following :

*Be it further ordained,* That the act of the General Assembly, entitled "An Act to create a Military Board," be, and the same is hereby repealed, from and after the 15th of July next.

*Be it further ordained,* That no oath shall be required to be taken by the officers or soldiers aforesaid, except the oath of allegiance to the State of North Carolina, prior to their being mustered into the service of the Confederate States, but each man shall be held and deemed to be in military service, and subject to the rules and articles of war of the Confederate States, from the time of his signing the articles of enlistment.

*Be it further ordained*, That a commission of two persons, to be chosen by this Convention, shall be dispatched to confer with the President of the Confederate States, upon the matters embodied in this ordinance, as early as may be practicable, and make report of the result of such conference to the Governor for his action in the premises.

On motion of Mr. Graham, the lobbies and galleries were cleared, and the Convention proceeded to sit with closed doors, and so continued until the hour for recess.

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4 O'clock, P. M.

The Convention resumed its business in secret session, and so continued until a late hour, when the doors were opened.

The ordinance relating to taxation and revenue, and the public debt, was then put upon its second reading, and passed the same by general consent, and ordered to a third reading to-morrow.

Mr. Batchelor moved that the ordinance relating to the jurisdiction of the Courts be taken up and made the special order for Saturday, at 11 o'clock;

Pending the consideration of which, on motion, the Convention adjourned.

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#### IN CONVENTION, FRIDAY, June 21, 1861.

The Convention met at the usual hour, the President in the chair. Prayer by the Rev. J. M. Atkinson, of the Presbyterian Church.

The journal of yesterday was read and approved.

Mr. McDowell, of Madison, presented a petition from certain citizens of his county in relation to lands held by citizens of a foreign government with which we are at war, which, on his motion, was referred to the select committee on the memorial of citizens of Wilmington on the same subject.

The President laid before the Convention a communication from His Excellency, the Governor, enclosing a detailed account by Col. D. H. Hill, of the recent battle of Bethel, Va., which was read and ordered to be printed—twenty-five copies for each member.

Mr. Strong, from the committee on Enrollments, reported the following ordinances and resolutions as having been examined and found correct:

An Ordinance to amend the fourth section of the fourth article of amendments to the Constitution.

An Ordinance abrogating a resolution of the General Assembly, whereby the same was to meet on the 25th inst., and providing for a future meeting.

An Ordinance providing for the payment of Sheriffs for holding elections for members of this Convention.

Resolution in relation to the pay of the printers to this Convention.

Resolution to print and distribute copies of the Articles of War among our soldiers.

Mr. Ellison, from the committee on Free Persons of Color, made an adverse report on the resolution in relation to Elizabeth Chavis and her infant child, in which the Convention concurred.

Mr. Howard, from the committee on Military Affairs, reported favorably the resolution authorizing the Governor to accept the services of a certain number of cavalry companies, which then passed its second reading.

On motion of Mr. Smith, of Halifax, the rule was suspended, and the resolution was put upon its third reading.

Mr. Bond moved to postpone the subject until Monday next, which was not agreed to.

The resolution then passed its third reading, and was ordered to be enrolled.

Mr. Ellison offered a resolution directing the Secretary to send a certified copy of the resolution proroguing the General Assembly to each member of the General Assembly, which lies over one day under the rule.

Mr. Battle, of Wake, offered a resolution directing the Secretary to prepare and have printed a list of the members of this Convention, with their respective postoffices, which was agreed to.

Mr. Holmes, from the committee on that subject, reported an ordinance concerning the property of persons who have abandoned and left the State, which passed its first reading, and was ordered to be printed.

Mr. Biggs offered a resolution providing for an exemption from the poll tax due the present and succeeding year, of all our soldiers who are on duty, which passed its first reading. The rule was suspended, and it passed its second reading and was reading the third time. It was amended by striking out the word, "white," and requiring also that a certificate of exemption should be given, under seal, by the Clerk of the County Court.

Mr. Ferebee moved to refer the resolution to the committee of Finance, which was not agreed to.

Mr. Satterthwaite moved that it lie on the table, which was not agreed to.

The resolution then passed the third reading, and was ordered to be enrolled.

Mr. Moseley presented the resignation of Hon. Thomas D. McDowell, delegate from Bladen county, which was accepted by the Convention.

On motion of Mr. Moseley a writ of election was directed to be issued to the Sheriff of Bladen county, requiring him to hold an election to fill the vacancy on the first Thursday in August next.

The order of the day was now called up, the same being the ordinance to amend the Constitution in relation to the subjects of taxation, revenue and the public debt.

Mr. Batchelor moved to postpone the same, in order that the Convention might consider the ordinance in relation to the jurisdiction of the courts, which was not agreed to.

The Convention then went into to the consideration of the ordinance above named.

Mr. Sanders offered an amendment to strike out the first and second sections of the same, and insert in lieu thereof, the following:

*It is by this Convention ordained,* That Section 3rd of Article 4th of the Amendments to the Constitution of the State, ratified by the people on the second Monday of November, in the year 1835, is hereby rescinded and annulled, and in lieu thereof, and in addition thereto, it is ordained:

1. There shall be a capitation tax upon all free persons throughout the State subject to the same.

2. All free males over the age of twenty-one years, and under forty-five, shall be subject to a capitation tax, and no other person shall be subject to such tax: *Provided*, That nothing herein contained shall prevent exemption of taxable polls, as heretofore prescribed by law, in cases of bodily infirmity.

3. All slaves over the age of one year and under the age of sixty years, and no others, shall be subject to tax; and when taxed, shall be taxed according to their cash value, to be ascertained and fixed by the General Assembly as often as may be deemed advisable. In assessing the value of taxable slaves, all between one year and five years of age, and between fifty-five and sixty, shall be deemed of equal value. All between five and ten, and between fifty and fifty-five, shall be deemed of equal value. All between ten and fifteen and between forty and fifty, shall be deemed of equal value, and all between fifteen and forty shall be deemed of equal value: *Provided*, That the General may, as heretofore, allow exemptions of disabled and insane taxable slaves: *And provided, also*, That the taxable value of slaves, skilled and employed in the mechanic arts and trades, may be ascertained in any other mode provided by the General Assembly.

4. All real estate, except such as shall be exempted by the General Assembly, by reason of its being set apart for the University or other schools, or for the support of the poor or afflicted, or for divine worship, shall be subject to be taxed according to its value, and shall be so taxed whenever slaves are so taxed,



either by the General Assembly, or by any other body, by its permission. The value of such real estate shall be ascertained as the General Assembly may provide: the tax on each kind of such property shall be the same upon equal values thereof, and neither shall be exempt from tax without the exemption of the other.

On motion of Mr. Howard, the Convention resolved itself into Committee of the Whole, Mr. Satterthwaite in the Chair, with the view to consider the subject pending in the Convention.

After so continuing for some time, the Committee rose, the President resumed his seat, and the chairman reported progress, and asked to sit again.

On motion of Mr. Lander, leave of absence was granted to Mr. Carson, of Rutherford, for the remainder of the session.

Mr. Smith, of Macon, presented the resignation of Hon. A. T. Davidson, Delegate from Cherokee county, which was accepted by the Convention, and the President was directed to issue a writ of election to fill the vacancy, on the first Thursday in August next.

The hour having arrived, the Convention took a recess until 4 o'clock, P. M.

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#### 4 O'CLOCK, P. M.

The Convention re-assembled, when Mr. Gilmer moved a call of the House, which being agreed to, the doors were closed, and the roll being called, the following gentlemen answered to their names:

Messrs. Armfield, Ashe, Badger, Battle of Edgecombe, Bond, Dick, Foster of Randolph, Gorrell, Greenlee, Hamlin, Hearne, Holden, Holmes, Houston of Duplin, Howard, Jones of Caldwell, Joyce, Kittrell, Mann, Manning, Meares, Mebane, Merritt, Miller, Moseley, Patterson, Penland, Rayner, Reid, Shipp, Speed, Stewart, Thomas of Carteret, Thomas of Jackson, Tracy, Venable, Williams and Winslow.

On motion of Mr. Foy, further proceedings of the call were dispensed with, and the doors were opened.

Mr. Battle, of Wake, moved that the ordinance relating to the jurisdiction of the Courts, be postponed until to-morrow at 11 o'clock, which was agreed to.

Mr. Biggs offered a resolution authorizing the Public Treasurer to borrow from the Banks the sum of \$1,500,000, under certain conditions, which passed its first reading and was referred to the Committee on Finance.

Mr. Smith, of Johnston, moved to take up and consider the ordinance relating to the suffrage of soldiers.

Mr. Howard moved that the Convention resolve itself into Committee of the Whole, which taking precedence, was agreed to.

The Convention then went into Committee of the Whole, Mr. Satterthwaite in the chair, and proceeded to consider the ordinance on Taxation and Revenue.

After some time spent therein, the Committee rose, reported progress, and asked leave to sit again.

Then, on motion of Mr. Badger, the Convention adjourned.

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#### IN CONVENTION, SATURDAY, June 22, 1861.

The President took the chair and called the Convention to order.

The journal of yesterday was read and approved.

P. C. Henkel, Delegate from Catawba county, tendered his resignation, to take effect from and after the close of the present session, which was accepted, and the President was directed to issue his writ of election to fill the vacancy thus created, on the first Thursday in August next.

On motion of Mr. Biggs, the Ordinance of Secession, with the names of the signers, and their respective counties, was ordered to be printed for the use of the Convention.

Mr. Hicks, from the committee on that subject, reported an ordinance to amend the Constitution of the State, so as to define the age at which eligibility to a seat in the General Assembly shall commence, which passed its first reading.

Mr. Whitford, from the Committee on a State Flag, reported an ordinance relating thereto, which passed its several readings under a suspension of the rules, and was ordered to be enrolled.

Mr. Strong offered a resolution authorizing the President, or any one of the five members empowered to call the Convention together in case of the death of the President, to receive resignations of members and issue writs of election to supply vacancies, which passed its first and second readings, and was ordered to a third reading to-morrow.

Mr. Hicks offered a resolution to refer the subject of certain lands, lying in Haywood county, belonging to alien enemies, to the committee on the Wilmington Public Meeting, and it was agreed to.

On motion of Mr. Kittrell, the Secretary was directed to give official notification of their election to the Deputies of the Confederate Congress, and to the members of the Board of Claims.

Mr. Rayner introduced an ordinance declaring the political status of officers of the U. S. Army, who are natives of this State, which passed its first reading.

The ordinance to amend the 13th Section of the Constitution of the State, was then read the second time, and on motion of Mr. Biggs, ordered to lie on the table.

The resolution of Mr. Armfield, asking information of the Governor in relation to the striking of the names of certain officers in Yadkin county from the militia rolls of the State, was then taken up and agreed to.

The ordinance in relation to the exercise of the elective franchise by citizen soldiers, on duty, was then passed on its second reading, and being read the third time and amended, was, on motion of Mr. Battle, of Wake, re-committed to the committee, to which committee the names of Messrs. Barnes and Biggs were added.

The ordinance relating to taxation, revenue and the public debt, being then read the third time,

Mr. Woodfin offered an amendment thereto, which was ordered to be printed, and the subject was postponed until Monday at 11 o'clock.

Mr. Woodfin introduced an ordinance relating to the jurisdiction of the Superior Courts in criminal cases, which passed its first reading.

The ordinance heretofore introduced by Mr. Batchelor, upon the same general subject, (being to protect property in these times of political trouble, against the rapacity of creditors,) was then taken up on its second reading.

On motion of Mr. Howard, the Convention resolved itself into a Committee of the Whole, Mr. Biggs in the chair, to consider said ordinance, and that just offered by Mr. Woodfin.

After so continuing for some time, the committee rose, reported the ordinance with certain amendments, and asked and obtained a discharge from its further consideration.

Mr. Rayner moved that the subject lie on the table, and on this question the ayes and noes were ordered, on motion of Mr. Speed, and resulted in the negative, as follows:

AYES—Messrs. Allison, Ashe, Badger, Battle of Edgecombe, Biggs, Brodnax, Bunting, Caldwell, Dillard, Durham, Edwards, Eller, Foster of Ashe, Greenlee, Headen, Hearne, Henkel, Holmes, Houston of Union, Howard, Jones of Caldwell, McNeill of Cumberland, McNeill of Harnett, Mitchell, Moseley, Osborne, Phifer, Rayner, Rhodes, Smith of Johnston, Stewart, Sutherland, Tracy, Turner, Ward and Williams—36.

NOES—Messrs. Armfield, Arrington, Batchelor, Battle of Wake, Berry, Brown, Calloway, Cannon, Christian, Councill, Craige, Darden, Dick, Douthitt, Ferebee, Foy, Fuller, Gilmer, Gorrell, Green, Hargrove, Hicks, Johnston, Jones of Rowan, Leak of Richmond, Long, Manning, McDowell of Madison, Meares, Penland, Pettigrew, Sanders, Satterthwaite, Smith of Halifax, Smith of Macon, Speed, Sprouse, Spruill of Tyrrell, Strong, Thomas of Jackson, Thompson, Thornton, Venable, Warren, Washington, Williamson and Woodfin—47.

The hour having arrived, the Convention took a recess until 4 o'clock, P. M.

4 O'CLOCK, P. M.

The President called the Convention to order.

Mr. Stewart moved that there be a call of the House, which was agreed to. The doors being closed, the roll was called, and the following gentlemen failed to answer to their names:

Messrs. Allison, Armfield, Ashe, Badger, Berry, Bond, Cunningham, Douthitt, Foster of Randolph, Gilmer, Grimes, Hamlin, Houston of Duplin, Joyce, Kittrell, McNeill of Harnett, Mebane, Osborne, Rayner, Reid, Rhódes, Royster, Sanders. Shipp, Turner, Washington, Whitford and Winslow.

Messrs. Foster of Randolph, Mebane and Winslow were reported to be sick, and were excused.

On motion, further proceedings of the call were dispensed with, and the doors were opened.

Mr. Barnes moved that the Convention adjourn, on which the ayes and noes were ordered, on motion of Mr. Satterthwaite, and resulted in the negative, as follows:

AYES—Messrs. Barnes, Battle of Edgecombe, Cannon, Green, Speed, Spruill of Bertie, Spruill of Tyrrell and Wilson—8.

NOES—Messrs. Allison, Arrington, Batchelor, Battle of Wake, Biggs, Brodnax, Brown, Bunting, Caldwell, Calloway, Christian, Councill, Darden, Dillard, Durham, Edwards, Eller, Ellison, Ferebee, Foster of Ashe, Foy, Fuller, Gorrell, Greenlee, Hargrove, Headen, Hearne, Henkel, Hicks, Holden, Holmes, Houston of Union, Howard, Johnston, Jones of Caldwell, Jones of Rowan, Lander, Leak of Anson, Leak of Richmond, Long, Manning, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, Meares, Merritt, Miller, Mitchell, Moseley, Myers, Patterson, Penland, Pettigrew, Phifer, Satterthwaite, Shaw, Smith of Halifax, Smith of Johnston, Smith of Macon, Sprouse, Stewart, Strong, Sutherland, Thomas of Carteret, Thomas of Jackson, Thornton, Tracy, Venable, Walton, Ward, Warren, Williams, Williamson and Woodfin—74.

Mr. Manning, from the committee on the Coalfields' connection with the railway system of the State, reported "An Ordinance to require the Governor and Public Treasurer to issue the coupon bonds of the State to the Western Railroad Company," which passed its first reading.

Mr. Smith, of Johnston, from the committee to whom the subject was re-committed, reported an ordinance in relation to the suffrage of citizen soldiers on duty, which was ordered to a third reading on Monday.

Mr. Howard offered a resolution to authorize the Governor to receive recruits for the first regiment of North Carolina Volunteers, which, by consent, passed its three several readings, and was ordered to be enrolled.

Mr. Strong, from the committee on Enrollments, reported that the resolution just passed had been enrolled and found correct; whereupon it was signed by the President and attested by the Secretaries.

The ordinance relating to the jurisdiction of the Courts, was then taken up, when Mr. Speed offered a substitute for the same.

Mr. Myers offered an amendment to the substitute, it being the ordinance introduced this morning by Mr. Woodfin.

Pending the consideration of which, on motion, the Convention adjourned until Monday morning at 10 o'clock.

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#### IN CONVENTION, MONDAY, June 24, 1861.

The President took the chair and called the Convention to order.

The journal of Saturday was read and approved.

Mr. Biggs offered a resolution providing for the deposit and publication of the ordinances of the Convention, which, by consent, passed its three several readings, and was ordered to be enrolled.

Mr. Biggs moved to take from the table his motion to reconsider the order for the adjournment of the Convention, on which motion the ayes and noes were ordered, on motion of Mr. Jones, of Rowan, and resulted in the negative, as follows:

AYES—Messrs. Batchelor, Battle of Edgecombe, Biggs, Brodnax, Bunting, Caldwell, Cunningham, Darden, Dillard, Durham, Edwards, Foy, Fuller, Greenlee, Hargrove, Henkel, Holmes.

Houston of Union, Howard, Johnston, Lander, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, Meares, Moseley, Penland, Rayner, Rhodes, Royster, Satterthwaite, Shaw, Smith of Halifax, Speed, Stewart, Strong, Sutherland, Thompson, Thornton, Tracy, Venable, Ward, Williams, Williamson and Winslow—45.

NOES—Messrs. Allison, Armfield, Arrington, Barnes, Battle of Wake, Berry, Bond, Brown, Calloway, Cannon, Christian, Council, Dick, Eller, Ellison, Ferebee, Foster of Ashe, Foster of Randolph, Gilmer, Graham, Green, Headen, Hearn, Holden, Jones of Caldwell, Jones of Rowan, Joyce, Kittrell, Leak of Anson, Leak of Richmond, Long, Merritt, Mitchell, Myers, Pettigrew, Phifer, Ruffin, Sanders, Smith of Johnston, Smith of Macon, Sprouse, Spruill of Tyrrell, Thomas of Carteret, Turner, Walton, Warren, Washington, Wilson and Woodfin—49.

The orders of the day being now called for, Mr. Venable moved to postpone the same, in order that the Convention might receive the report of a committee sent on a special mission; which was agreed to, and, then, the lobbies and galleries were cleared and the Convention proceeded to sit with closed doors.

After some time spent therein, the doors were opened, and the Convention proceeded to the consideration of the special order, viz: the ordinance relating to taxation, revenue, and the public debt, which, after some discussion, was postponed until 4 o'clock, P. M., to-day.

The ordinance to amend the 1st Section of the 1st Article of Amendments to the Constitution, was taken up and discussed, and, then, on motion, ordered to lie on the table.

On motion of Mr. Smith, of Johnston, the ordinance reported by the committee in relation to the suffrage of citizen soldiers on duty, was then taken up, being on its third reading.

Mr. Speed moved to amend the same by striking out the word "Captain," and inserting the words, "three freeholders of the company," pending the consideration of which, the hour arrived, and the Convention took a recess until 4 o'clock.



4 O'CLOCK, P. M.

The Convention re-assembled and was called to order by the President.

The Committee of the Whole to whom the ordinance relating to taxation, revenue, and the public debt had been referred, was discharged from its further consideration.

The Convention then proceeded to the consideration of the same.

Mr. Biggs moved to strike out the word "may," in the 7th line of the 2nd Section, and insert the word "shall," which was agreed to.

He also moved to insert the word "mental," after the word "bodily," in the 16th line, which was agreed to.

Mr. Gorrell moved to amend by striking out all of the said ordinance which relates to a capitation tax on white males.

Mr. Barnes gave notice of an amendment which he would offer at the proper time, which was read for information and ordered to be printed.

Mr. Bond also gave notice of an amendment, which was ordered to be printed.

On motion of Mr. Venable, Messrs. Greenlee and Penland obtained leave of absence from and after to-morrow.

Mr. Badger moved an adjournment, on which the ayes and noes were ordered, on motion of Mr. Christian, and resulted in the negative, as follows:

AYES—Messrs. Badger, Battle of Edgecombe, Bond, Brodnax, Cannon, Ferebee, Foster of Randolph, Foy, Gorrell, Headen, Holmes, Jones of Rowan, Kittrell, Mann, McNeill of Cumberland, Meares, Mitchell, Osborne, Patterson, Phifer, Rayner, Ruffin, Spruill of Tyrrell, Turner, Warren, Washington and Woodfin—27.

NOES—Messrs. Allison, Arrington, Barnes, Batchelor, Battle of Wake, Berry, Biggs, Brown, Banting, Caldwell, Christian, Conncill, Cunningham, Darden, Dick, Dillard, Durham, Edwards, Eller, Ellison, Foster of Ashe, Fuller, Gilmer, Graham, Green, Greenlee, Hamlin, Hargrove, Hearne, Henkel, Holden, Houston of Union, Howard, Johnston, Jones of Caldwell, Joyce,



Lander, Leak of Anson, Leak of Richmond, Long, McDowell of Burke, McDowell of Madison. McNeill of Harnett, Miller, Moody, Moseley, Myers, Penland, Pettigrew, Rhodes, Royster. Sanders, Satterthwaite, Shaw, Smith of Halifax, Smith of Johnston, Smith of Macon, Speed, Sprouse, Spruill of Bertie, Stewart, Strong, Sutherland, Thomas of Carteret, Thompson, Thornton, Tracy, Venable, Williams, Williamson and Wilson—71.

Mr. Biggs moved to postpone the further consideration of the ordinance until to-morrow, and make it the special order for 10½ o'clock, A. M.

Mr. Osborne moved to strike out "10½," and insert "10," which motion prevailed, and the motion of Mr. Biggs, as amended, was then agreed to.

Mr. Graham moved that the Convention now adjourn, on which the ayes and noes were ordered, on motion of Mr. Lander, and resulted in the negative, as follows:

AYES—Messrs. Arrington, Badger, Battle of Edgecombe, Berry, Bond, Brodnax, Cannon, Councill, Ferebee, Gilmer, Gorrell, Graham, Headen, Holden, Jones of Caldwell, Joyce, Kittrell, Long, Mamm, Meares, Pettigrew, Phifer, Rayner, Ruffin, Smith of Macon, Spruill of Tyrrell, Turner, Warren, Washington and Wilson—30.

NOES—Messrs. Allison, Ashe, Barnes, Batchelor, Battle of Wake, Biggs, Brown, Bunting, Caldwell, Christian, Cunningham, Darden, Dick, Dillard, Durham, Edwards, Eller, Ellison, Foster of Ashe, Foy, Fuller, Green, Greenlee, Hargrove, Hearne, Henkel, Holmes, Howard, Johnston, Lander, Leak of Anson, Leak of Richmond, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, McNeill of Harnett, Merritt, Miller, Moody, Moseley, Myers, Osborne, Penland, Rhodes, Royster, Sanders, Satterthwaite, Shaw, Smith of Halifax, Smith of Johnston, Speed, Sprouse, Spruill of Bertie, Stewart, Strong, Sutherland, Thomas of Carteret, Thompson, Thornton, Tracy, Venable, Williams, Williamson and Woodfin—64.

Mr. Brown moved a suspension of the rules, that he might offer an amendment thereto, so that the daily sessions of the Convention shall, hereafter, commence at 9½ o'clock, A. M., and two-thirds voting therefor, the motion prevailed.

Mr. Smith, of Johnston, moved to amend by inserting "9" for "9½," which was agreed to.

The motion of Mr. Brown, as amended, was then agreed to.

Mr. Biggs moved to take from the table the motion to reconsider the vote by which the Convention agreed to adjourn on Wednesday next.

Mr. Batchelor moved that the Convention adjourn, on which the ayes and noes were ordered, on motion of Mr. Lander, and resulted in the affirmative, as follows:

AYES—Messrs. Arrington, Badger, Barnes, Batchelor, Battle of Edgecombe, Battle of Wake, Berry, Bond, Brodnax, Brown, Bunting, Caldwell, Cannon, Councill, Dick, Eller, Ferebee, Fuller, Gilmer, Gorrell, Graham, Hamlin, Headen, Holden, Howard, Jones of Caldwell, Kittrell, Leak of Richmond, Long, Mann, McNeill of Cumberland, Meares, Merritt, Miller, Osborne, Pettigrew, Phifer, Rayner, Rhodes, Ruffin, Smith of Macon, Spruill of Tyrrell, Thomas of Jackson, Turner, Warren, Washington, Williamson, Wilson and Woodfin—49.

NOES—Messrs. Allison, Armfield, Ashe, Biggs, Christian, Cunningham, Darden, Dillard, Durham, Edwards, Ellison, Foster of Ashe, Foy, Green, Greenlee, Hargrove, Hearne, Henkel, Holmes, Johnston, Lander, Leak of Anson, McDowell of Burke, McDowell of Madison, McNeill of Harnett, Moody, Moseley, Myers, Penland, Royster, Sanders, Satterthwaite, Shaw, Smith of Halifax, Smith of Johnston, Speed, Sprouse, Spruill of Bertie, Stewart, Strong, Sutherland, Thomas of Carteret, Thompson, Thornton, Tracy and Williams—46.

The Convention was then declared adjourned to 9 o'clock to-morrow morning.

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### IN CONVENTION, TUESDAY, June 25, 1861.

The President took the chair and called the Convention to order.

The journal of yesterday was read and approved.

Hon. Burton Craige, delegate from Rowan county, tendered his resignation as a member of the Convention, and the President

was directed to issue his writ of election to fill the vacancy, on the first Thursday in August next.

Mr. Battle, of Wake, from the committee on Enrollments, reported the following ordinance and resolutions as having been enrolled and examined:

An Ordinance in relation to a State Flag.

A Resolution providing for the deposit and publication of the ordinances of the Convention.

A Resolution to raise an additional battalion of cavalry.

A Resolution directing a writ of election to the Sheriff of Bladen county, to fill the vacancy occasioned by the resignation of Hon. Thomas D. McDowell.

Mr. Spruill, of Bertie, moved to take from the table the motion to re-consider the resolution of the Convention by which it was agreed to adjourn the present session on Wednesday next, at 7 o'clock, P. M. The motion prevailed, and the question was put: Will the Convention agree to re-consider? It was determined in the negative, the ayes and noes being ordered, on motion of Mr. Biggs, as follows:

AYES—Messrs. Armfield, Arrington, Barnes, Batchelor, Battle of Edgecombe, Battle of Wake, Berry, Bond, Cannon, Christian, Councill, Dick, Douthitt, Eller, Ellison, Ferebee, Foster of Randolph, Gilmer, Gorrell, Graham, Green, Hamlin, Headen, Holden, Jones of Caldwell, Joyce, Leak of Richmond, Long, Mann, McNeill of Harnett, Meares, Merritt, Pettigrew, Phifer, Rayner, Ruffin, Sanders, Smith of Johnston, Smith of Macon, Speed, Sprouse, Spruill of Tyrrell, Thomas of Carteret, Turner, Warren, Washington and Wilson—47.

NOES—Messrs. Allison, Ashe, Biggs, Brodnax, Bunting, Caldwell, Cunningham, Darden, Dillard, Durham, Edwards, Foster of Ashe, Foy, Fuller, Greenlee, Hargrove, Hearne, Henkel, Holmes, Houston of Union, Howard, Johnston, Lander, Leak of Anson, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, Miller, Moody, Moseley, Myers, Penland, Rhodes, Royster, Satterthwaite, Shaw, Smith of Halifax, Spruill of Bertie, Stewart, Strong, Sutherland, Thomp-

son, Thornton, Tracey, Venable, Walton, Ward, Williams and Williamson—49.

Mr. Williamson offered the following resolution, which lies over one day:

*Resolved*, That no delegate shall speak more than five minutes upon any question that may hereafter come before the Convention during its present session.

On motion of Mr. Barnes, the Convention proceeded to the consideration of the ordinance on the subject of taxation, revenue and the public debt.

Mr. Foster, of Randolph, gave notice of an amendment to the second section, which he would offer at the proper time.

Mr. Ruffin moved to amend by inserting the words, "nor slaves," after the word "person," in the 5th line of the 2nd section, which was agreed to; and, in the same line, between the words "to" and "taxation," the word "such," which was also agreed to.

Mr. Gilmer moved to amend by striking out the word "less," in the third line, and inserting the word "more," and it was not agreed to.

The question then being on Mr. Gorrell's amendment, to strike out all of said section which provides for a capitation tax on white persons, the ayes and noes were ordered thereon, on motion of Mr. Batchelor, and resulted in the negative, as follows:

AYES—Messrs. Armfield, Christian, Dick, Durham, Foster of Ashe, Gilmer, Gorrell, Green, Headen, Jones of Rowan, Joyce, Long, McDowell of Madison, Meares, Osborne, Shipp, Smith of Johnston, Speed, Spruill of Tyrrell, Warren and Woodfin—21.

NOES—Messrs. Allison, Arrington, Ashe, Badger, Barnes, Batchelor, Battle of Edgecombe, Battle of Wake, Berry, Biggs, Bond, Brodnax, Brown, Bunting, Caldwell, Cannon, Councill, Cunningham, Darden, Dillard, Douthitt, Edwards, Eller, Ellison, Ferebee, Foy, Fuller, Graham, Greenlee, Hargrove, Hearne, Henkel, Holden, Holmes, Howard, Johnston, Jones of Caldwell, Kittrell, Lander, Leak of Anson, Leak of Richmond, Mann, McNeill of Cumberland, McNeill of Harnett, Merritt,

Miller, Moody, Moseley, Penland, Pettigrew, Phifer, Rayner, Rhodes, Royster, Ruffin, Sanders, Satterthwaite, Shaw, Smith of Halifax, Smith of Macon, Sprouse, Spruill of Bertie, Stewart, Strong, Sutherland, Thomas of Carteret, Thompson, Thornton, Tracy, Turner, Venable, Walton, Ward, Washington, Williams, Williamson and Wilson—78.

The hour having arrived, the Convention then took a recess until 4 o'clock, P. M.

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4 O'CLOCK, P. M.

The President laid before the Convention several communications from different departments of the war service, in answer to the resolutions of the Convention, passed on yesterday, which were read and ordered to be printed.

The ordinance on taxation, revenue, and the public debt, was taken up for consideration.

Mr. Howard gave notice of an amendment he desired to offer at the proper time, exempting free negroes from taxation.

Mr. Wilson moved to amend the second section, 11th line, by inserting between the words, "properties" and "in," "or on their individual value;" on which the ayes and noes were ordered, on motion of the mover, and resulted in the negative, as follows:

AYES—Messrs. Allison, Barnes, Battle of Wake, Cannon, Christian, Councill, Dick, Douthitt, Durham, Eller, Foster of Ashe, Foster of Randolph, Gilmer, Gorrell, Graham, Headen, Holden, Jones of Rowan, Leak of Anson, Leak of Richmond, Long, Mann, Miller, Mitchell, Osborne, Phifer, Sanders, Smith of Johnston, Smith of Macon, Speed, Sprouse, Spruill of Bertie, Thomas of Jackson, Warren, Wilson and Woodfin—36.

NOES—Messrs. Arrington, Ashe, Batchelor, Battle of Edgecombe, Berry, Biggs, Brodnax, Brown, Bunting, Caldwell, Cunningham, Darden, Dillard, Edwards, Ellison, Ferebee, Foy, Fuller, Hargrove, Hearne, Henkel, Holmes, Houston of Union, Howard, Johnston, Jones of Caldwell, Lander, McDowell of

Burke, McDowell of Madison, McNeill of Cumberland, McNeill of Harnett, Moody, Moseley, Patterson, Penland, Pettigrew, Rhodes, Royster, Ruffin, Satterthwaite, Shaw, Smith of Halifax, Spruill of Tyrrell, Stewart, Strong, Sutherland, Thornton, Tracy, Turner, Venable, Walton, Ward, Washington, Williams and Williamson—55.

Mr. Foster, of Randolph, moved to amend the same section by striking from the second and third lines, the words, "not less than the tax laid on land of the value of three hundred dollars," on which the ayes and noes were ordered, on motion of Mr. Foster, of Randolph, and resulted in the negative, as follows:

AYES—Messrs. Barnes, Battle of Wake, Christian, Dick, Douthitt, Durham, Eller, Foster of Randolph, Gilmer, Gorrell, Green, Hamlin, Headen, Holden, Jones of Rowan, Kittrell, Leak of Anson, Long, McDowell of Madison, Osborne, Sanders, Shipp, Smith of Johnston, Smith of Macon, Spruill of Bertie, Thomas of Jackson, Warren, Wilson and Woodfin—29.

NOES—Messrs. Allison, Arrington, Badger, Batchelor, Battle of Edgecombe, Berry, Biggs, Bond, Brodnax, Brown, Bunting, Caldwell, Cannon, Councill, Cunningham, Darden, Dillard, Edwards, Ellison, Ferebee, Foster of Ashe, Foy, Fuller, Graham, Greenlee, Hargrove, Hearne, Henkel, Holmes, Houston of Union, Howard, Johnston, Jones of Caldwell, Lander, Leak of Richmond, Mann, McDowell of Burke, McNeill of Cumberland, McNeill of Harnett, Merritt, Miller, Mitchell, Moody, Moseley, Patterson, Penland, Pettigrew, Phifer, Rhodes, Royster, Ruffin, Satterthwaite, Shaw, Smith of Halifax, Speed, Sprouse, Spruill of Tyrrell, Strong, Sutherland, Thompson, Thornton, Tracy, Turner, Venable, Walton, Ward, Washington, Williams and Williamson—70.

Mr. Howard moved to amend by striking out the words, "not less than," and inserting, "equal to," which was not agreed to.

Mr. Barnes offered to amend as follows: Strike out the 2nd section and insert the following:

"1. Taxation upon land and slaves shall be equal and uniform throughout the State in proportion to value, such value to be ascertained as may be directed by law.

"2. Capitation tax shall be equal throughout the State upon all individuals subject to the same.

"3. All free males of the age of twenty-one years, and under the age of forty-five years, shall be subject to capitation tax, and no other person shall be subject to such tax: *Provided*, That nothing herein contained shall prevent the exemption from taxation of soldiers in the public service, or of free males in cases of bodily or mental infirmity, or of such real estate as hath hitherto been exempted by law."

On this amendment the ayes and noes were ordered, on motion of Mr. Barnes, and resulted in the negative, as follows:

AYES—Messrs. Barnes, Battle of Wake, Bond, Cannon, Christian, Councill, Dick, Douthitt, Eller, Foster of Ashe, Foster of Randolph, Gilmer, Gorrell, Green, Headen, Holden, Jones of Rowan, Kittrell, Leak of Anson, Long, Mann, Merritt, Mitchell, Osborne, Sanders, Shipp, Smith of Johnston, Smith of Macon, Speed, Sprouse, Spruill of Bertie, Warren, Wilson and Woodfin—34.

NOES—Messrs. Allison, Arrington, Ashe, Badger, Batchelor, Battle of Edgecombe, Berry, Biggs, Brodnax, Brown, Bunting, Caldwell, Cunningham, Darden, Dillard, Durham, Edwards, Ellison, Ferebee, Foy, Fuller, Graham, Greenlee, Hamlin, Hargrove, Hearne, Henkel, Holmes, Houston of Union, Howard, Johnston, Jones of Caldwell, Lander, Leak of Richmond, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, McNeill of Harnett, Miller, Moody, Moseley, Patterson, Penland, Pettigrew, Rayner, Rhodes, Royster, Ruffin, Satterthwaite, Shaw, Smith of Halifax, Spruill of Tyrrell, Stewart, Strong, Sutherland, Thompson, Thornton, Tracy, Turner, Venable, Walton, Ward, Washington, Williams and Williamson—65.

Mr. Eller moved to amend the third Section, by striking out the word "majority," and inserting the word, "two-thirds," which was not agreed to.

Mr. Smith, of Macon, moved to strike out the third Section, and on this motion the ayes and noes were ordered, and resulted in the affirmative, as follows:

**AYES**—Messrs. Barnes, Battle of Wake, Berry, Bond, Brown, Cannon, Christian, Councill, Dick, Douthitt, Durham, Eller, Foster of Ashe, Foster of Randolph, Fuller, Gilmer, Gorrell, Graham, Green, Greenlee, Hamlin, Headen, Hearne, Holden, Houston of Union, Johnston, Jones of Caldwell, Jones of Rowan, Kittrell, Lander, Leak of Anson, Leak of Richmond, Long, Mann, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, McNeill of Harnett, Meares, Merritt, Miller, Myers, Osborne, Penland, Satterthwaite, Shipp, Smith of Johnston, Smith of Macon, Speed, Sprouse, Spruill of Bertie, Thomas of Jackson, Tracy, Turner, Warren, Wilson and Woodfin—57.

**NOES**—Messrs. Allison, Ashe, Batchelor, Battle of Edgecombe, Biggs, Brodnax, Bunting, Cunningham, Darden, Dillard, Edwards, Ellison, Ferebee, Foy, Hargrove, Henkel, Holmes, Howard, Mitchell, Moseley, Pettigrew, Phifer, Rayner, Rhodes, Royster, Ruffin, Sanders, Shaw, Smith of Halifax, Spruill of Tyrrell, Strong, Sutherland, Thompson, Thornton, Venable, Walton, Ward, Washington, Williams and Williamson—40.

Mr. Batchelor moved to insert, as Section 3, all of said Section as reported by the committee, down to the word "nays," in the 8th line, and from the 35th line down to the word "invasion," the effect of which was to limit the State debt to \$20,000,000, except in cases of war, insurrection or invasion, on which the ayes and noes were ordered, and resulted in the negative, as follows:

**AYES**—Messrs. Arrington, Batchelor, Battle of Edgecombe, Battle of Wake, Berry, Biggs, Brodnax, Brown, Bunting, Cannon, Cunningham, Darden, Dillard, Edwards, Ellison, Ferebee, Gorrell, Green, Hargrove, Holmes, Howard, Moody, Moseley, Pettigrew, Phifer, Rayner, Royster, Sanders, Shaw, Smith of Halifax, Spruill of Bertie, Spruill of Tyrrell, Strong, Sutherland, Thompson, Thornton, Venable, Walton, Ward, Washington, Williams, Williamson and Winslow—43.

**NOES**—Messrs. Allison, Ashe, Barnes, Bond, Caldwell, Christian, Councill, Dick, Douthitt, Durham, Eller, Foster of Ashe,



Foster of Randolph, Fuller, Gilmer, Graham, Greenlee, Hamlin, Headen, Hearne, Henkel, Holden, Houston of Union, Johnston, Jones of Caldwell, Jones of Rowan, Kittrell, Lander, Leak of Anson, Leak of Richmond, Long, Mann, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, McNeill of Harnett, Meares, Merritt, Miller, Myers, Osborne, Patterson, Penland, Rhodes, Satterthwaite, Shipp, Smith of Johnston, Smith of Macon, Speed, Sprouse, Stewart, Thomas of Jackson, Tracy, Turner, Warren, Wilson and Woodfin—57.

Mr. Graham moved to amend by striking out all of the 2nd section, after the word taxation, in the 5th line, and inserting that, "all property on which taxes are imposed, shall be taxed equally, accordingly to value, to be ascertained by law."

Mr. Smith, of Johnston, moved to amend the amendment by adding, "except gold and silver plate, carriages, bank stock, and State bonds, which may be taxed specifically," which was not agreed to.

Mr. Biggs moved to amend the amendment by inserting the 27th and 28th sections of the 7th article of the Constitution of Texas, which is in these words: "Taxation shall be equal and uniform throughout the State. All property in the State shall be taxed in proportion to its value, to be ascertained as directed by law; except such property as two-thirds of both houses of the Legislature may think proper to exempt from taxation. The Legislature shall have power to lay an income tax, and to tax all persons pursuing any trade, occupation or profession: *Provided*, That the term "occupation," shall not be construed to apply to pursuits, either agricultural or mechanical.

"The Legislature shall have power to provide, by law, for exempting from taxation two hundred and fifty dollars of the household furniture or other property belonging to each family in the State."

On this motion the ayes and noes were ordered, on motion of Mr. Biggs, and resulted in the negative, as follows:

AYES—Messrs. Arrington, Batchelor, Battle of Edgecombe, Biggs, Bunting, Caldwell, Council, Cunningham, Darden, Durham, Foy, Greenlee, Hargrove, Henkel, Howard, Johnston,

Lander, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, Miller, Moody, Moseley, Osborne, Penland, Rhodes, Royster, Shaw, Smith of Johnston, Sprouse, Spruill of Bertie, Stewart, Strong, Thomas of Jackson, Thompson, Thornton, Tracy, Venable, Williams, Winslow and Woodfin—41.

NOES—Messrs. Allison, Armfield, Barnes, Battle of Wake, Berry, Bond, Brown, Cannon, Christian, Dick, Dillard, Douthitt, Eller, Ellison, Foster of Ashe, Foster of Randolph, Fuller, Gilmer, Gorrell, Graham, Green, Hamlin, Headen, Hearne, Holden, Houston of Union, Jones of Caldwell, Jones of Rowan, Kittrell, Leak of Anson, Leak of Richmond, Long, Mann, McNeill of Harnett, Meares, Merritt, Myers, Patterson, Pettigrew, Phifer, Rayner, Ruffin, Sanders, Satterthwaite, Shipp, Smith of Macon, Speed, Spruill of Tyrrell, Sutherland, Turner, Ward, Warren, Washington, Williamson and Wilson—55.

The question recurring on the adoption of the amendment of Mr. Graham, the ayes and noes were ordered, on motion of Mr. Biggs, and resulted in the negative, as follows :

AYES—Messrs. Berry, Bond, Cannon, Christian, Council, Dick, Douthitt, Durham, Ellison, Foster of Ashe, Gilmer, Graham, Headen, Hearne, Houston of Union, Kittrell, Leak of Anson, Long, Meares, Myers, Phifer, Sanders, Smith of Johnston, Smith of Macon, Sprouse, Spruill of Bertie, Thomas of Jackson, Turner, Warren and Wilson—32.

NOES—Messrs. Allison, Armfield, Arrington, Ashe, Barnes, Batchelor, Battle of Edgecombe, Battle of Wake, Biggs, Brown, Bunting, Caldwell, Cunningham, Darden, Dillard, Eller, Foster of Randolph, Foy, Fuller, Gorrell, Green, Greenlee, Hargrove, Henkel, Holden, Holmes, Howard, Johnston, Jones of Caldwell, Jones of Rowan, Lander, Leak of Richmond, Mann, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, McNeill of Harnett, Merritt, Miller, Moody, Moseley, Osborne, Patterson, Penland, Pettigrew, Rhodes, Royster, Ruffin, Satterthwaite, Shaw, Shipp, Speed, Spruill of Tyrrell, Stewart, Strong, Sutherland, Thompson, Thornton, Tracy, Venable, Walton, Ward, Washington, Williams, Williamson, Winslow and Woodfin—66.

Mr. Ashe moved to postpone the subject until the 15th day of November next; on which motion, the ayes and noes were ordered, on motion of Mr. Graham, and resulted in the negative, as follows:

AYES—Messrs. Arrington, Ashe, Batchelor, Battle of Edgecombe, Biggs, Brown, Bunting, Cunningham, Darden, Dillard, Durham, Edwards, Foy, Fuller, Henkel, Holmes, Howard, McNeill of Cumberland, McNeill of Harnett, Moody, Moseley, Penland, Rhodes, Shaw, Smith of Halifax, Strong, Sutherland, Thomas of Jackson, Thompson, Thornton, Tracy, Walton, Ward, Williams, Williamson and Winslow—36.

NOES—Messrs. Allison, Armfield, Barnes, Battle of Wake, Berry, Bond, Brodnax, Caldwell, Cannon, Christian, Council, Dick, Douthitt, Eller, Ellison, Ferebee, Foster of Ashe, Foster of Randolph, Gilmer, Gorrell, Graham, Green, Greenlee, Hamlin, Hargrove, Headen, Hearne, Holden, Houston of Union, Johnston, Jones of Caldwell, Jones of Rowan, Kittrell, Lander, Leak of Anson, Leak of Richmond, Long, Mann, McDowell of Burke, McDowell of Madison, Merritt, Miller, Myers, Osborne, Patterson, Pettigrew, Phifer, Rayner, Royster, Ruffin, Sanders, Satterthwaite, Shipp, Smith of Johnston, Smith of Macon, Speed, Sprouse, Spruill of Dentie, Spruill of Tyrrell, Stewart, Turner, Venable, Warren, Washington, Wilson and Woodfin—66.

Mr. Gilmer moved to strike out the second Section and insert as follows:

*Be it further ordained,* That all free persons over the age of twenty-one years, and under the age of forty-five years, shall be subject to a capitation tax not more nor less than the tax laid on three hundred dollars worth of land and slaves, and no other free person or slave shall be liable for such taxation, and also land and slaves shall be taxed according to their value, and the tax on slaves shall be as much, but not more than that on land according to their respective value; but the tax on slaves may be laid on their general average value in the State, or on their value in classes, in respect to age, sex, and other distinctive properties, or on their individual value, in the dis-

erection of the General Assembly, and the value be assessed in such modes as may be prescribed by law: *Provided*, That nothing herein contained shall prevent the exemption from taxation of soldiers in the public service, or of free males or slaves, in cases of mental or bodily infirmity, or of such real estate as hath hitherto been exempted by law."

On this amendment the ayes and noes were ordered, on motion of Mr. Gilmer, and resulted in the negative, as follows:

AYES—Messrs. Armfield, Barnes, Battle of Wake, Christian, Council, Dick, Douthitt, Eller, Foster of Ashe, Foster of Randolph, Gilmer, Gorrell, Green, Headen, Holden, Houston of Union, Kittrell, Leak of Richmond, Long, Mann, Merritt, Osborne, Shipp, Smith of Johnston, Smith of Macon, Sprouse, Spruill of Bertie, Thomas of Jackson, Warren, Wilson and Woodfin—31.

NOES—Messrs. Allison, Arrington, Ashe, Batchelor, Battle of Edgecombe, Berry, Biggs, Brown, Bunting, Caldwell, Cannon, Cunningham, Darden, Dillard, Durham, Ellison, Foy, Fuller, Graham, Greenlee, Hamlin, Hargrove, Hearne, Henkel, Holmes, Howard, Johnston, Jones of Caldwell, Jones of Rowan, Lander, Leak of Anson, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, McNeill of Harnett, Mearns, Miller, Moody, Moseley, Myers, Patterson, Penland, Pettigrew, Phifer, Rayner, Rhodes, Royster, Ruffin, Satterthwaite, Shaw, Speed, Spruill of Tyrrell, Stewart, Strong, Sutherland, Thompson, Thornton, Tracy, Turner, Venable, Ward, Washington, Williams, Williamson and Winslow—65.

Mr. Bond offered the following as a substitute for section 2: "That all free males over the age of twenty-one years and under the age of forty-five years, shall be subject to a capitation tax, not less than the tax laid on land of the value of three hundred dollars, and no other free person shall be liable to taxation; and, also, land and slaves shall be taxed according to their value, and the tax on slaves shall be as much, but not more than that on land, according to their respective values, and the value be assessed in such modes as may be prescribed by law: *Provided*, That nothing herein contained shall prevent the exemption from taxation of such real estate as hath hitherto been exempted by law."

On this the ayes and noes were ordered, on motion of Mr. Bond, and resulted in the negative, as follows:

AYES—Messrs. Armfield, Battle of Wake, Bond, Christian, Councill, Dick, Douthitt, Eller, Foster of Ashe, Foster of Randolph, Gilmer, Green, Headen, Holden, Kittrell, Long, Mann, Merritt, Sanders, Smith of Johnston, Smith of Macon, Sprouse, Spruill of Bertie, Warren and Wilson—25.

NOES—Messrs. Allison, Arrington, Ashe, Barnes, Batchelor, Battle of Edgecombe, Berry, Biggs, Brown, Bunting, Caldwell, Cannon, Cunningham, Darden, Dillard, Durham, Ellison, Foy, Fuller, Gorrell, Graham, Greenlee, Hamlin, Hargrove, Hearne, Henkel, Holmes, Houston of Union, Howard, Johnston, Jones of Caldwell, Jones of Rowan, Leak of Anson, Leak of Richmond, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, McNeill of Harnett, Meares, Miller, Moody, Myers, Osborne, Patterson, Penland, Pettigrew, Phifer, Rayner, Rhodes, Royster, Ruffin, Satterthwaite, Shaw, Speed, Spruill of Tyrrell, Stewart, Strong, Sutherland, Thomas of Jackson, Thompson, Thornton, Tracy, Turner, Venable, Ward, Washington, Williams, Williamson, Winslow and Woodfin—71.

Mr. Merritt moved to amend so as to provide that the ordinance should take effect when ratified by the people at an election to be held, on a day, and in a manner to be provided for by this Convention, and it was not agreed to.

Mr. Foy moved to strike out the word, "that," in the—line, and insert in lieu thereof, the words "the rate of taxation," which was not agreed to.

Mr. Thomas, of Jackson, moved to amend by providing that the tax on Bank Stock, State securities, Bonds, and evidences of debt, bearing interest, shall not be taxed at a higher rate than land, which was not agreed to.

Mr. Smith, of Johnston, proposed an amendment, requiring the County Courts to tax, for county purposes, any subject taxed by the State for State purposes, which was not agreed to.

The question then recurred on the passage of the ordinance as amended, its third reading; the ayes and noes were ordered, on motion of Mr. Biggs, and resulted in the affirmative, as follows:

AYES—Messrs. Allison, Armfield, Arrington, Barnes, Batchelor, Battle of Edgecombe, Battle of Wake, Berry, Biggs, Bond, Brown, Caldwell, Cannon, Christian, Councill, Darden, Dick, Dillard, Douthitt, Durham, Eller, Ellison, Ferebee, Foster of Ashe, Foster of Randolph, Foy, Fuller, Gilmer, Gorrell, Graham, Greenlee, Hamlin, Hargrove, Headen, Hearne, Henkel, Holden, Houston of Union, Howard, Johnston, Jones of Caldwell, Jones of Rowan, Kittrell, Lander, Leak of Anson, Leak of Richmond, Long, Mann, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, McNeill of Harnett, Meares, Merritt, Miller, Mitchell, Moody, Myers, Osborne, Patterson, Penland, Pettigrew, Phifer, Rayner, Royster, Ruffin, Sanders, Satterthwaite, Shipp, Smith of Halifax, Smith of Johnston, Smith of Macon, Speed, Sprouse, Spruill of Bertie, Spruill of Tyrrell, Stewart, Strong, Sutherland, Thompson, Tracy, Turner, Venable, Washington, Williamson, Wilson, Winslow and Woodfin—88.

NOES—Messrs. Ashe, Bunting, Cunningham, Green, Holmes, Moseley, Rhodes, Shaw, Thornton, Ward and Williams—11.

Mr. Ruffin moved that the title be made to read as follows: "An Ordinance relating to taxation," which was agreed to.

Mr. Brown offered an ordinance providing for the submission of the several amendments to the Constitution adopted by the Convention, to the people of the State, which passed its first reading.

Then, on motion, the Convention adjourned.

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#### IN CONVENTION, WEDNESDAY, June 26, 1861.

The President took the chair and called the Convention to order. Prayer by Rev. Thomas E. Skinner, of the Baptist Church.

The journal of yesterday was read and approved.

Mr. Batchelor introduced an ordinance to amend the Constitution of the State, so as to limit the public debt, which passed its first reading.

Mr. Graham offered a resolution authorizing the Public Treasurer to pay each of the doorkeepers of this Convention the sum of fifty dollars for extra services, servant hire, and other incidental expenses, which, the rules being suspended, passed its three several readings, and was ordered to be enrolled.

The President laid before the Convention a communication from L. O'B. Branch, Quartermaster General, which was read and laid on the table.

Mr. Howard moved to take up the ordinance heretofore introduced by him, to pay the militia of the State when called into actual service, which was agreed to, and under a suspension of the rules, the same passed the second and third readings, and was ordered to be enrolled.

Mr. Christian offered a resolution asking information of the proper department, in relation to the price paid by the State for cartridge-boxes, which lies over one day.

The order of the day, being the ordinance to provide for the disposition of the State Troops and Volunteers, was then called up.

On motion of Mr. Graham, the lobbies and galleries were cleared, and the Convention proceeded to sit with closed doors.

After some time spent therein, the doors were opened, when Mr. Battle, of Wake, moved to suspend the consideration of the subject, in order that he might offer a resolution, on which the ayes and noes were ordered, on motion of Mr. Barnes, and resulted in the affirmative, as follows:

AYES—Messrs. Allison, Armfield, Arrington, Badger, Barnes, Batchelor, Battle of Wake, Berry, Cannon, Christian, Councill, Dick, Douthitt, Eller, Ellison, Ferebee, Foster of Ashe, Foster of Randolph, Gilmer, Gorrell, Graham, Holden, Jones of Rowan, Leak of Anson, Leak of Richmond, Long, Mann, McNeill of Cumberland, McNeill of Harnett, Merritt, Mitchell, Pettigrew, Plifer, Rayner, Ruffin, Sanders, Smith of Halifax, Smith of Macon, Sprouse, Spruill of Tyrrell, Venable, Warren, Washington and Wilson—44.

NOES—Messrs. Ashe, Biggs, Brown, Bunting, Caldwell, Cunningham, Darden, Dillard, Durham, Edwards, Fuller, Hamlin, Hargrove, Headen, Henkel, Holmes, Howard, Lander, Mc-

Dowell of Burke, McDowell of Madison, Miller, Moseley, Osborne, Rhodes, Royster, Satterthwaite, Spruill of Bertie, Stewart, Strong, Sutherland, Thomas of Jackson, Thompson, Thornton, Tracy, Turner, Ward, Williamson and Woodfin—37.

Mr. Battle, of Wake, then offered the resolution of which he gave notice on yesterday, that the resolution of the Convention, by which it was determined to adjourn this day at 7 o'clock, P. M., be rescinded.

The question of order was here raised, whether the resolution was not required, under the rules, to lie over one day for consideration.

The President decided that it was; but that a motion to suspend the rule was in order, which would require an affirmative two-thirds vote to sustain it.

From this decision an appeal was taken by Mr. Badger, to the Convention, and the question was put, "shall the decision of the President stand as the judgment of the Convention?"

On this question the ayes and noes were ordered, on motion of Mr. Cunningham, and resulted in the negative, as follows:

AYES—Messrs. Ashe, Batchelor, Battle of Edgecombe, Biggs, Brown, Bunting, Caldwell, Cunningham, Dillard, Durham, Hargrove, Henkel, Holmes, Leak of Richmond, McDowell of Burke, McDowell of Madison, Meares, Miller, Moseley, Rhodes, Royster, Ruffin, Satterthwaite, Shaw, Smith of Halifax, Spruill of Bertie, Strong, Sutherland, Thompson, Thornton, Tracy, Ward, Williamson and Woodfin—35.

NOES—Messrs. Allison, Armfield, Arrington, Badger, Barnes, Battle of Wake, Berry, Brodnax, Cannon, Christian, Council, Dick, Douthitt, Eller, Ellison, Ferebee, Foster of Ashe, Foster of Randolph, Gilmer, Gorrell, Graham, Holden, Howard, Jones of Caldwell, Jones of Rowan, Lander, Leak of Anson, Long, McNeill of Cumberland, McNeill of Harnett, Merritt, Mitchell, Pettigrew, Phifer, Rayner, Sanders, Smith of Macon, Speed, Sprouse, Spruill of Tyrrell, Turner, Venable, Warren, Washington and Wilson—45.

The question being then on the Resolution of Mr. Battle, of Wake,



Mr. Venable moved to amend by adding the words, "and this Convention will adjourn to-night at 12 o'clock."

Mr. Ellison moved to amend the amendment, by striking out the words, "to-night at 12 o'clock," and insert "Saturday next, at 2 o'clock."

On this amendment the ayes and noes were ordered, on motion of Mr. Ellison, and resulted in the negative, as follows:

AYES—Messrs. Allison, Arrington, Badger, Batchelor, Bond, Brodnax, Christian, Councill, Dick, Douthitt, Eller, Ellison, Ferebee, Foster of Ashe, Foster of Randolph, Gilmer, Gorrell, Graham, Holden, Jones of Caldwell, Kittrell, Long, Mann, McNeill of Cumberland, McNeill of Harnett, Meares, Merritt, Mitchell, Pettigrew, Phifer, Rayner, Ruffin, Satterthwaite, Shipp, Smith of Macon, Speed, Spruill of Tyrrell, Turner, Warren, Washington and Wilson—41.

NOES—Messrs. Ashe, Barnes, Battle of Edgecombe, Battle of Wake, Berry, Biggs, Brown, Bunting, Caldwell, Cunningham, Darden, Dillard, Durham, Edwards, Fuller, Hargrove, Headen, Henkel, Holmes, Howard, Jones of Rowan, Landers, Leak of Anson, Leak of Richmond, McDowell of Burke, McDowell of Madison, Miller, Moseley, Osborne, Royster, Sanders, Shaw, Smith of Halifax, Sprouse, Spruill of Bertie, Stewart, Strong, Sutherland, Thomas of Jackson, Thompson, Thornton, Tracy, Venable, Ward, Williams, Williamson and Woodfin—47.

Mr. Rayner moved to strike out the same words, and insert, "Friday next, at 2 o'clock, P. M.," and it was agreed to.

Mr. Badger moved to amend by adding that part of the rescinded resolution which provides for the re-assembling of the Convention, and it was agreed to.

The question being then on the passage of the resolution as amended, the ayes and noes were ordered, on motion of Mr. Brown, and resulted in the affirmative, as follows:

AYES—Messrs. Allison, Armfield, Arrington, Badger, Barnes, Batchelor, Battle of Wake, Berry, Bond, Brodnax, Cannon, Christian, Councill, Dick, Douthitt, Eller, Ellison, Ferebee, Foster of Ashe, Foster of Randolph, Gilmer, Gorrell, Graham, Headen, Holden, Jones of Caldwell, Jones of Rowan, Kittrell,

Long, Mann, McNeill of Cumberland, McNeill of Harnett, Meares, Merritt, Pettigrew, Phifer, Rayner, Rhodes, Ruffin, Sanders, Shipp, Smith of Halifax, Smith of Macon, Speed, Sprouse, Spruill of Tyrrell, Turner, Warren, Washington and Wilson—50.

NOES—Messrs. Ashe, Battle of Edgecombe, Biggs, Brown, Bunting, Caldwell, Cunningham, Darden, Dillard, Durham, Edwards, Fuller, Hargrove, Henkel, Holmes, Howard, Lander, Leak of Anson, Leak of Richmond, McDowell of Burke, McDowell of Madison, Miller, Moseley, Royster, Shaw, Spruill of Bertie, Stewart, Strong, Sutherland, Thomas of Jackson, Thompson, Thornton, Tracy, Venable, Ward, Williams, Williamson and Woodfin—38.

Mr. Badger now inquired whether the Resolution required *three* readings.

The President decided that, inasmuch as it repealed a resolution on which the Convention, by its action, held three readings to be necessary, and which he regarded therefore as a law, in his opinion it did require three readings.

From this decision, Mr. Badger appealed to the Convention, and the question was put, "Shall the decision of the Chair stand as the judgment of the House?"

On this question the ayes and noes were ordered, on motion of Mr. Badger, and resulted in the negative, as follows:

AYES—Messrs. Ashe, Batchelor, Biggs, Brown, Bunting, Caldwell, Cunningham, Darden, Dillard, Durham, Hargrove, Henkel, Holmes, Howard, Lander, Leak of Richmond, McDowell of Burke, McDowell of Madison, Miller, Moseley, Osborne, Rhodes, Royster, Ruffin, Satterthwaite, Shaw, Sprouse, Spruill of Bertie, Stewart, Strong, Sutherland, Thomas of Jackson, Thompson, Thornton, Tracy, Ward, Williams, Williamson and Woodfin—39.

NOES—Messrs. Allison, Arrington, Badger, Barnes, Battle of Wake, Berry, Bond, Brodnax, Cannon, Christian, Council, Dick, Douthitt, Eller, Ellison, Ferebee, Foster of Ashe, Foster of Randolph, Gilmer, Gorrell, Graham, Headen, Holden, Jones of Caldwell, Jones of Rowan, Kittrell, Leak of Anson, Long,

Mann, McNeill of Cumberland, Merritt, Mitchell, Pettigrew, Phifer, Rayner, Sanders, Shipp, Smith of Macon, Speed, Spruill of Tyrrell, Venable, Warren and Wilson—43.

The decision of the Chair not being sustained, the resolution was declared to be passed.

Mr. Strong, from the committee on Eurollments, reported the following ordinances and resolutions as having been enrolled and examined :

An ordinance relating to Taxation.

An ordinance to provide for the payment of the Militia whilst in actual service.

An ordinance to ratify the Constitution of the Confederate States of America.

A resolution in favor of the Door-keepers.

A resolution asking certain information of the Comptroller of public accounts, and authorizing him to employ sufficient clerical force to enable him to give it.

A resolution authorizing the President, or any one of the five members empowered to convoke the Convention in case of his death, to receive resignations, and issue writs of election to fill vacancies.

A resolution asking information of the Governor relative to certain appointments to office ;

Which were severally signed by the President and attested by the Secretaries.

Leave of absence for the remainder of the session was granted to Messrs. Biggs, McDowell of Burke, and McDowell of Madison.

The President laid before the Convention a letter from Hon. A. W. Venable, resigning his seat in the Convention from and after the close of the present session.

And then, on motion, the Convention adjourned until tomorrow morning, 9 o'clock.

## IN CONVENTION, THURSDAY, June 27, 1861.

The President took the chair and called the Convention to order.

The journal of yesterday was read and approved.

Mr. Badger introduced an ordinance to provide for the publication of the ordinances and resolutions of the Convention, which passed its three several readings, under a suspension of the rules, and was ordered to be enrolled.

On motion of Mr. Hargrove, the President was directed to issue his writ of election to the Sheriff of Granville county to hold an election to fill the vacancy in this Convention occasioned by the resignation of Hon. A. W. Venable, on the first Thursday in August next.

Mr. Howard offered the following resolution:

*Resolved*, That the President send a message to Hon. Henry T. Clark, Speaker of the Senate, notifying him of the fact that Hon. John W. Ellis, Governor of the State, is now absent from the State, and unable, from sickness, to discharge the duties of his office, and requesting his presence in the city of Raleigh, to assume the discharge of the duties which, under the Constitution, devolve upon him.

Mr. Rayner moved to add the following: "Until the return of the Governor and the resumption by him of his official duties."

During the consideration of the above, the hour for the special ordered arrived.

Mr. Rayner moved to suspend the special order until 11 o'clock.

Mr. Ashe moved to strike out "eleven," and insert "one," which was not agreed to.

The motion of Mr. Rayner was then adopted.

The question was now on the amendment of Mr. Rayner to the resolution offered by Mr. Howard.

Mr. Lander moved to amend the amendment by adding, "but no notice shall be served until after the Governor shall have been notified that his presence is needed in Raleigh."

On motion of Mr. Ruffin, the whole subject was referred to a select committee, which consists of Messrs. Howard, Lander, and Satterthwaite.

The President laid before the Convention a communication from the Military Board in response to a resolution of the Convention, which, together with communications from several other departments, was ordered to be printed.

Mr. Graham introduced an ordinance ceding to the Confederate States certain tracts of land for public purposes, which passed the first reading.

The rules being suspended, the ordinance then passed the second and third readings, and was ordered to be enrolled.

Mr. Battle, of Wake, from the committee on Enrollments, reported that the ordinance providing for the publication of the ordinances and resolutions of Convention, had been examined and found correct, whereupon it was signed by the President and attested by the Secretaries.

The order of the day was now taken up, being the ordinance relating to the disposition of State troops and volunteers.

Mr. Graham moved to strike out all of the first section after the word "States," in the ninth line, which was agreed to.

The blank in the third line of the second Section was filled with the words, "20th of August."

On motion of Mr. Graham, the 5th Section was made the last Section of the ordinance.

As Section 5, he moved the following:

*Be it further ordained,* That the naval vessels of this State be transferred to the said Confederate States upon the same terms and conditions that are provided as to State troops in the several sections of this ordinance.

He also moved to strike out Section 6, and insert as follows:

*And whereas,* The President of the Confederate States, through a communication from the Secretary of War, has informed this Convention that he will accept from this State, into the service of the Confederate States, ten thousand Volunteers for twelve months, in addition to the four regiments already in said service, and cannot accept any greater number for twelve months :

*Be it therefore ordained, by the authority aforesaid, That all volunteers that have been called out by the order of the Governor, for twelve months, over and above the four regiments aforesaid, and two thousand more to be designated by the Governor and tendered to the President, for services as aforesaid, shall be discharged on the 15th of August next: Provided, That any of said Volunteers who shall signify their desire to enlist in the State troops aforesaid, or in any corps that may be called for by the President in the meantime, shall be discharged forthwith, to the end that they may enter such new service; and, Provided further, That the Governor shall tender such Volunteers to the President, and if the President shall agree to accept them, or any part of them, for twelve months, by or before the said 15th day of August, it shall be the duty of the Governor to order them, or so many of them as the President shall designate, into the service of the Confederate States accordingly, and to discharge the residue: Provided further, That any Volunteers discharged as aforesaid, shall, in addition to their pay, be allowed reasonable expenses for travelling to their several homes; and, Provided further, That the Governor may order out the militia, as volunteers or otherwise, in case of invasion, or insurrection, or imminent danger thereof.*

Mr. Ruffin moved to strike out, "fifteenth," and insert, "twentieth," wherever it occurs in the amendment, and it was agreed to.

Mr. Barnes offered the following amendment: After the word "volunteers," in the 18th line, insert, "with their company and regimental officers," which was agreed to.

Mr. Ashe moved to re-consider the adoption of the last amendment, and the motion prevailed.

The question then recurring on Mr. Barnes' amendment, it was not agreed to.

The amendment of Mr. Graham was then adopted.

Mr. Spruill, of Bertie, now moved to fill the blanks wherever they occur, with the words, "twentieth of August," and to strike out, "fifteenth," wherever it occurs, and it was agreed to.

Mr. Speed moved to amend by adding a clause, that the volunteers not wanted by the Confederate States, shall be retained for the defense of the seaboard of this State.

Mr. Batchelor moved to strike out the words, "of the Seaboard," from the amendment, and it was agreed to.

The question was then put on the amendment as amended, and it was not adopted.

The hour have arrived, the Convention took a recess until 4 o'clock.

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4 O'CLOCK, P. M.

By consent, Mr. Osborne offered a resolution to appoint a committee to examine the accounts of the officers of the first regiment N. C. volunteers, which were not allowed by the Quartermaster General, on account of a want of formality, and to report thereupon to this Convention, and it was agreed to.

The following were appointed to constitute the committee: Messrs. Osborne, Graham, Meares, Lander and Smith of Halifax.

Mr. Strong, from the committee on Enrollments, reported that the ordinance to cede to the Confederate States, jurisdiction over certain lands, on which are Forts, Beacons, Marine Hospitals and Mint, had been examined and found correct, and the same was signed by the President and attested by the Secretaries.

The ordinance pending at the hour of recess was then taken up.

Mr. Graham moved to amend by adding to the 5th section, as follows: "The said vessels to be paid for, or accounted for, on terms to be agreed upon by the Governor with the said Confederate States," which was agreed to.

Mr. Rayner moved to strike out the word "twentieth," wherever it occurs, and insert the word "first," on which the ayes and noes were ordered, on motion of Mr. Thomas, of Jackson, and resulted in the negative, as follows:

AYES—Messrs. Allison, Arrington, Badger, Battle of Wake, Berry, Cannon, Christian, Ellison, Ferebee, Foster of Ashe,

Graham, Holden, Mann, Mitchell, Pettigrew, Rayner, Satterthwaite, Smith of Halifax, Speed, Sprouse, Washington and Wilson—22.

NOES—Messrs. Ashe, Barnes, Batchelor, Biggs, Brodnax, Brown, Bunting, Caldwell, Councill, Cunningham, Dillard, Douthitt, Durham, Edwards, Gorrell, Hamlin, Hargrove, Henkel, Holmes, Houston of Duplin, Howard, Jones of Caldwell, Jones of Rowan, Lander, Leak of Anson, Leak of Richmond, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, McNeill of Harnett, Merritt, Miller, Moseley, Osborne, Phifer, Rhodes, Royster, Rusin, Sanders, Shaw, Smith of Macon, Spruill of Bertie, Stewart, Strong, Sutherland, Thomas of Jackson, Thompson, Thornton, Tracy, Turner, Venable, Williams, Williamson, Winslow and Woodfin—55.

Mr. Barnes moved to amend the 6th Section by inserting, after the word "volunteers," in the 30th line, the words, "by regiments," which was agreed to.

Mr. Graham moved to amend the 8th Section by adding the following: "The office of military Secretary shall be continued until the 20th day of September next, for the purpose of settling the military accounts," which was agreed to.

Mr. Biggs offered the following as an additional section:

*"Be it further ordained, That this ordinance may be amended, modified or repealed by the General Assembly."*

Mr. Rusin moved to amend the amendment by adding thereto as follows: "So far as regards the discharge of the twelve-months volunteers which have not been accepted by the Government of the Confederate States."

On this the ayes and noes were ordered, on motion of Mr. Biggs, and resulted in the affirmative, as follows:

AYES—Messrs. Arrington, Badger, Barnes, Batchelor, Battle of Wake, Berry, Brodnax, Brown, Cannon, Christian, Councill, Dick, Douthitt, Edwards, Ellison, Ferebee, Foster of Ashe, Foster of Randolph, Gilmer, Gorrell, Graham, Grimes, Hamlin, Holden, Houston of Duplin, Jones of Cumberland, Jones of Rowan, Kittrell, Leak of Anson, Long, Mann, McNeill of Harnett, Merritt, Miller, Pettigraw, Phifer, Rayner, Rhodes,



Ruffin, Sanders, Satterthwaite, Smith of Halifax, Smith of Macon, Speed, Sprouse, Spruill of Tyrrell, Washington, Williamson and Wilson—49.

NOES—Messrs. Allison, Ashe, Biggs, Bunting, Caldwell, Cunningham, Dillard, Durham, Hargrove, Henkel, Holmes, Howard, Lander, Leak of Richmond, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, Moseley, Osborne, Royster, Shaw, Spruill of Bertie, Stewart, Strong, Sutherland, Thomas of Jackson, Thompson, Thornton, Tracy, Turner, Venable, Williams and Woodfin—33.

The question was then on the amendment as amended, on which the ayes and noes were ordered, on motion of Mr. Gorrell, and resulted in the affirmative, as follows:

AYES—Messrs. Ashe, Barnes, Batchelor, Battle of Wake, Biggs, Brown, Cunningham, Dillard, Douthitt, Durham, Edwards, Grimes, Hargrove, Henkel, Holmes, Houston of Duplin, Howard, Jones of Rowan, Lander, Leak of Richmond, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, Merritt, Moseley, Osborne, Phifer, Rhodes, Royster, Ruffin, Sanders, Shaw, Spruill of Bertie, Stewart, Strong, Sutherland, Thomas of Jackson, Thompson, Thornton, Tracy, Turner, Venable, Washington, Williams, Williamson, Winslow and Woodfin—48.

NOES—Messrs. Allison, Arrington, Badger, Berry, Brodnax, Bunting, Caldwell, Cannon, Christian, Councill, Dick, Ellison, Ferchee, Foster of Ashe, Foster of Randolph, Gilmer, Gorrell, Graham, Hamlin, Headen, Holden, Jones of Caldwell, Joyce, Kittrell, Leak of Anson, Long, Mann, McNeill of Harnett, Miller, Mitchell, Pettigrew, Rayner, Satterthwaite, Smith of Halifax, Smith of Macon, Speed, Sprouse, Spruill of Tyrrell and Wilson—38.

The question then recurring on the passage of the ordinance as amended, on its second reading, the ayes and noes were ordered, on motion of Mr. Shaw, and resulted in the affirmative, as follows:

AYES—Messrs. Allison, Arrington, Badger, Barnes, Batchelor, Battle of Wake, Berry, Brodnax, Brown, Cannon, Chris-

tian, Councill, Dick, Douthitt, Edwards, Ellison, Ferebee, Foster of Ashe, Foster of Randolph, Gilmer, Gorrell, Graham, Hamlin, Headen, Holden, Jones of Caldwell, Jones of Rowan, Joyce, Kittrell, Leak of Anson, Leak of Richmond, Long, Mann, McNeill of Harnett, Meares, Merritt, Mitchell, Osborne, Pettigrew, Phifer, Rayner, Rhodes, Ruffin, Sanders, Satterthwaite, Smith of Halifax, Speed, Sprouse, Spruill of Tyrrell, Warren, Washington, Williamson and Wilson—53.

NOES—Messrs. Ashe, Biggs, Bunting, Caldwell, Cunningham, Dillard, Durham, Grimes, Hargrove, Henkel, Holmes, Houston of Duplin, Howard, Lander, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, Miller, Moseley, Royster, Shaw, Spruill of Bertie, Stewart, Strong, Sutherland, Thomas of Jackson, Thompson, Thornton, Tracy, Turner, Venable, Williams, Winslow and Woodfin—34.

On motion, the rule was suspended and the ordinance put upon its third reading and passed.

On motion, the title was amended by adding the words "and for other purposes," and, as thus amended, the ordinance was ordered to be enrolled.

Mr. Rayner moved to re-consider the vote by which the ordinance was passed, and the motion did not prevail.

Mr. Shaw, introduced a resolution for the appointment of a committee to report an ordinance to prevent the payment of the interest on the bonds of the State, held by our alien enemies, which was adopted, and Messrs. Shaw, Woodfin and Leak, of Richmond, appointed to constitute said committee.

The ordinance providing for the suffrage of soldiers while on duty, was then taken up on its third reading.

Mr. Satterthwaite moved that it be indefinitely postponed, on which the ayes and noes were ordered, on motion of Mr. Spruill, of Bertie, and resulted in the negative, as follows:

AYES—Messrs. Badger, Batchelor, Brodnax, Edwards, Ferebee, Graham, Jones of Caldwell, Kittrell, Mitchell, Pettigrew, Rayner, Ruffin, Satterthwaite, Smith of Halifax, Speed, Sprouse, Spruill of Tyrrell and Sutherland—18.

NOES—Messrs. Arrington, Ashe, Barnes, Battle of Wake, Berry, Biggs, Brown, Bunting, Caldwell, Cannon, Christian, Council, Cunningham, Dick, Dillard, Douthitt, Durham, Ellison, Foster of Ashe, Foster of Randolph, Gilmer, Gorrell, Grimes, Hamlin, Hargrove, Headen, Henkel, Holden, Holmes, Houston of Duplin, Howard, Joyce, Lander, Leak of Anson, Leak of Richmond, Long, Mann, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, McNeill of Harnett, Merritt, Miller, Moseley, Osborne, Phifer, Rhodes, Royster, Sanders, Shaw, Smith of Macon, Spruill of Bertie, Stewart, Strong, Thomas of Jackson, Thompson, Thornton, Tracy, Turner, Venable, Warren, Williams, Wilson and Woodfin—63.

Mr. Gorrell moved to postpone the further consideration of the subject until the third Monday of November next, on which the ayes and noes were ordered, on motion of Mr. Barnes, and resulted in the negative, as follows :

AYES—Messrs. Badger, Batchelor, Battle of Wake, Berry, Brodnax, Douthitt, Edwards, Ferebee, Gorrell, Graham, Jones of Caldwell, Jones of Rowan, Mitchell, Pettigrew, Rayner, Satterthwaite, Smith of Halifax and Speed—18.

NOES—Messrs. Arrington, Ashe, Barnes, Biggs, Brown, Bunting, Cannon, Christian, Council, Cunningham, Dick, Dillard, Durham, Ellison, Foster of Ashe, Foster of Randolph, Gilmer, Hamlin, Hargrove, Henkel, Holden, Holmes, Houston of Duplin, Howard, Joyce, Kittrell, Lander, Leak of Anson, Leak of Richmond, Long, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, McNeill of Harnett, Miller, Moseley, Phifer, Rhodes, Royster, Sanders, Shaw, Spruill of Bertie, Stewart, Strong, Thomas of Jackson, Thompson, Thornton, Tracy, Turner, Venable, Warren, Williams and Williamson—54.

Mr. Rayner moved to refer the subject to a committee of three with instructions to report thereon to-morrow, and it was not agreed to.

Mr. Speed moved to strike out the word, "Captain," and insert, "Three freeholders of the Company," which was agreed to.

Mr. Gorrell moved to amend by limiting the continuance of this ordinance to the war now existing between the Confederate States and the United States, and it was agreed to.

The ordinance then passed its third and last reading, and was ordered to be enrolled.

Mr. Rayner, from the committee on Finance, reported an ordinance to provide the ways and means of the State, which passed its first reading, and was ordered to be printed, and made the special order for to-morrow at 9 o'clock.

The Convention then adjourned until to-morrow morning at half past eight o'clock.

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#### IN CONVENTION, FRIDAY, June 28, 1861.

At the hour agreed on yesterday, the President took the Chair and called the Convention to order. Prayer by Rev. J. M. Atkinson, of the Presbyterian Church.

The journal of yesterday was read and approved.

The President laid before the Convention a letter from P. H. Winston, Jr., accepting the position on the Board of Claims, to which he had been elected by the Convention.

Mr. Ruffin presented the memorial of Haywood W. Guion, President of the Wilmington, Charlotte and Rutherford Railroad Company, asking the Convention to authorize the Governor to issue to said Company the coupon bonds of the State to which it was entitled by its charter on the first day of April last; the Governor having, from his opinion of public policy, declined to sign and deliver the same, which was read.

Mr. Ruffin offered a resolution to carry out the prayer of the memorialist, which passed its first reading.

On motion, the rules were suspended and the resolution passed its second reading, and was read the third time.

Mr. Arrington moved that the Resolution lie on the table, on which the ayes and noes were ordered, on motion of Mr. Arrington, and resulted in the negative, as follows :

AYES—Messrs. Arrington, Brown, Cannon, Cunningham, Dillard, Ellison, Gorrell, Hargrove, Kittrell, McNeill of Cumberland, Royster, Sanders, Shaw, Speed, Thompson, Thornton, Warren and Williams—18.

NOES—Messrs. Allison, Ashe, Barnes, Batchelor, Battle of Wake, Berry, Brodnax, Bunting, Caldwell, Christian, Council, Dick, Douthit, Durham, Edwards, Ferebee, Foster of Ashe, Foster of Randolph, Gilmer, Graham, Headen, Henkel, Holden, Holmes, Houston of Duplin, Jones of Caldwell, Jones of Rowan, Joyce, Lander, Leak of Anson, Long, McNeill of Harnett, Meares, Merritt, Miller, Mitchell, Moseley, Osborne, Pettigrew, Rhodes, Ruffin, Smith of Halifax, Smith of Macon, Sprouse, Spruill of Bertie, Strong, Tracy, Turner, Venable, Washington and Woodfin—51.

Mr. Rayner offered the following amendment, which was adopted: "*Provided*, that this Resolution shall not be construed so as to authorize the Governor and Public Treasurer to issue bonds to any other Corporation, unless, in his judgment, he may deem it necessary."

The Resolution, as amended, then passed the third reading, and was ordered to be enrolled.

The hour having arrived, the special order was taken up, being the ordinance to provide the ways and means of the State.

Mr. Shaw moved to postpone the same until 11 o'clock, in order to consider the ordinance heretofore introduced by him, in regard to the bonds of the State held by our enemies.

On this the ayes and noes were ordered, on motion of Mr. Ashe, and resulted in the negative, as follows:

AYES—Messrs. Arrington, Ashe, Batchelor, Brodnax, Bunting, Cunningham, Dillard, Durham, Ferebee, Hargrove, Headen, Henkel, Holmes, Houston of Duplin, Howard, McNeill of Cumberland, McNeill of Harnett, Moseley, Rayner, Rhodes, Shaw, Speed, Stewart, Strong, Thompson, Thornton, Turner, Venable, Williams and Woodfin—30.

NOES—Messrs. Allison, Barnes, Battle of Wake, Berry Biggs, Brown, Caldwell, Cannon, Council, Dick, Douthit, Edwards, Ellison, Foster of Ashe, Foster of Randolph, Gilmer,

Gorrell, Graham, Hamlin, Holden, Jones of Caldwell, Jones of Rowan, Joyce, Kittrell, Lander, Leak of Anson, Long, Mann, Merritt, Miller, Mitchell, Osborne, Pettigrew, Ruffin, Sanders, Satterthwaite, Smith of Halifax, Sprouse, Spruill of Bertie, Spruill of Tyrrell, Thomas of Jackson, Tracy, Warren, Washington, Williamson and Wilson—46.

Mr. Holmes moved to postpone the special order for the purpose of considering the ordinance reported by him, in relation to the property of citizens who have abandoned and left the State, which was not agreed to.

Mr. Battle, of Wake, from the Committee on Enrollments, reported that the following ordinances and resolutions had been examined and found correct :

An ordinance for the disposition of State troops and Volunteers, and for other purposes.

An Ordinance to allow the right of suffrage to our citizen soldiers while in active service.

A Resolution in relation to certain bonds of the State due the Wilmington, Charlotte and Rutherford Railroad Company ;

Which were severally signed by the President and attested by the Secretaries.

Mr. Houston, of Duplin, from the committee on that subject, reported adversely upon the proposition to lay an embargo on the exports of the State. In which report the Convention concurred.

The special order being then taken up,

Mr. Ruffin moved to amend as follows : Insert after the word, "Provided," in the 18th line of the 2nd section, the words, "that no such notes shall be issued before the first day of March next ; and provided further," on which the ayes and noes were ordered, on motion of Mr. Rayner, and resulted in the affirmative, as follows :

AYES—Messrs. Arrington, Badger, Barnes, Batchelor, Berry, Biggs, Bond, Bunting, Caldwell, Cannon, Council, Cunningham, Dick, Dillard, Douthit, Edwards, Ellison, Ferebee, Foster of Ashe, Graham, Grimes, Hargrove, Headen, Henkel, Holden, Holmes, Houston of Duplin, Kittrell, Lander, Long, Meares,

Merritt, Miller, Mitchell, Moseley, Osborne, Pettigrew, Rhodes, Royster, Ruffin, Sanders, Satterthwaite, Shaw, Smith of Halifax, Smith of Macon, Sprouse, Spruill of Tyrrell, Stewart, Strong, Thompson, Tracy, Venable, Warren, Washington, Williams, Williamson and Wilson—57.

NOES—Messrs. Allison, Brown, Christian, Gilmer, Hamlin, Joyce, McNeill of Harnett, Rayner, Speed, Spruill of Bertie, Thornton and Woodfin—12.

Mr. Biggs offered the following amendment: Strike out the 1st, 2d, 6th, 7th, and 9th sections of the Ordinance, and amend the third section by striking out the words, “three millions of dollars, including the amount already borrowed from the banks of this State,” in the 6th and 7th lines, and insert the words, “one million, five hundred thousand dollars, which shall be considered part of the sum he is authorized to borrow.”

On this motion the ayes and noes were ordered, and resulted in the negative, as follows:

AYES—Messrs. Biggs, Brown, Bunting, Cunningham, Durham, Hargrove, Henkel, Holmes, Lander, McNeill of Cumberland, Moseley, Osborne, Royster, Shaw, Spruill of Bertie, Thompson, Thornton, Tracy, Turner, Williamson and Woodfin—21.

NOES—Messrs. Allison, Arrington, Badger, Barnes, Bachelor, Battle of Wake, Berry, Brodnax, Cannon, Christian, Council, Dick, Dillard, Douthitt, Edwards, Ellison, Ferebee, Foster of Ashe, Foster of Randolph, Gilmer, Gorrell, Graham, Grimes, Headen, Holden, Houston of Duplin, Jones of Rowan, Joyce, Kittrell, Leak of Anson, Mann, McNeill of Harnett, Merritt, Miller, Mitchell, Pettigrew, Rhodes, Ruffin, Sanders, Satterthwaite, Smith of Macon, Speed, Sprouse, Spruill of Tyrrell, Stewart, Warren, Washington, Williams and Wilson—49.

The ordinance, as amended, then passed the second and third readings, and was ordered to be enrolled.

Mr. Shaw moved to take up for consideration the ordinance heretofore introduced by him, in relation to the interest on bonds of the State held by our enemies; which was agreed to.

Mr. Graham moved to amend by striking out the words, “citizen or corporation,” pending the consideration of which,

Mr. Miller moved to postpone the subject until the third Monday in November next, on which the ayes and noes were ordered, on motion of Mr. Shaw, and resulted in the affirmative, as follows :

AYES—Messrs. Allison, Arrington, Badger, Batchelor, Battle of Wake, Berry, Brodnax, Brown, Dick, Douthitt, Ellison, Foster of Ashe, Gorrell, Graham, Hamlin, Headen, Holden, Jones of Caldwell, Jones of Rowan, Long, Mann, McNeill of Harnett, Merritt, Miller, Mitchell, Ruffin, Sanders, Satterthwaite, Smith of Halifax, Smith of Macon, Sprouse, Tracy, Warren, Washington and Wilson—35.

NOES—Messrs. Ashe, Barnes, Biggs, Bunting, Caldwell, Cannon, Councill, Dillard, Durham, Edwards, Ferebee, Hargrove, Henkel, Holmes, Houston of Duplin, Howard, Lander, McNeill of Cumberland, Mosely, Osborne, Pettigrew, Rayner, Rhodes, Royster, Shaw, Speed, Spruill of Bertie, Stewart, Strong, Thompson, Thornton, Williams, Winslow and Woodfin—34.

Mr. Rayner offered an Ordinance to amend the Ordinance providing for a Board of Claims, which passed the three several readings, under a suspension of the rule, and was ordered to be enrolled.

Mr. Speed offered the following Resolution, which was unanimously adopted, (Mr. Satterthwaite in the Chair) :

*Resolved*, That the thanks of this Convention are eminently due, and are hereby tendered to Hon. Weldon N. Edwards, for the able and dignified manner in which he has discharged the difficult and arduous duties of Presiding Officer.

Mr. Holmes moved to take up and consider the ordinance in relation to the property of citizens who have abandoned and left the State.

Mr. Badger moved to lay the motion on the table, on which the ayes and noes were ordered, on motion of Mr. Ashe, and resulted in the negative, as follows :

AYES—Messrs. Allison, Badger, Barnes, Battle of Wake, Brodnax, Brown, Cannon, Council, Dick, Douthitt, Ellison, Foster of Ashe, Gilmer, Graham, Holden, Jones of Caldwell, Jones of Rowan, Kittrell, Long, Mann, Merritt, Miller, Mitch-



ell, Osborne, Pettigrew, Sanders, Satterthwaite, Smith of Macon, Speed, Sprouse, Williamson and Wilson—32.

NOES—Messrs. Arrington, Ashe, Batchelor, Berry, Bunting, Caldwell, Cunningham, Dillard, Durham, Grimes, Hargrove, Henkel, Holmes, Houston of Duplin, Howard, McNeill of Cumberland, McNeill of Harnett, Meares, Moseley, Rayner, Rhodes, Royster, Ruffin, Shaw, Smith of Halifax, Spruill of Bertie, Stewart, Strong, Thomas of Jackson, Thompson, Thornton, Tracy, Turner, Washington, Williams, Winslow and Woodfin—37.

The question was then on the motion of Mr. Holmes to take up the ordinance designated by him, on which the ayes and noes were ordered, on motion of Mr. Ashe, and resulted in the affirmative, as follows:

AYES—Messrs. Arrington, Ashe, Batchelor, Biggs, Bunting, Caldwell, Dillard, Durham, Ferebee, Grimes, Hargrove, Henkel, Holmes, Houston of Duplin, Howard, McNeill of Cumberland, Meares, Miller, Moseley, Rayner, Rhodes, Royster, Ruffin, Shaw, Smith of Halifax, Spruill of Bertie, Stewart, Strong, Thomas of Jackson, Thompson, Thornton, Tracy, Turner, Williams, Winslow and Woodfin—36.

NOES—Messrs. Allison, Badger, Barnes, Battle of Wake, Berry, Brodnax, Christian, Dick, Douthitt, Ellison, Foster of Ashe, Gilmer, Graham, Hamlin, Jones of Caldwell, Jones of Rowan, Joyce, Kittrell, Long, Mann, McNeill of Harnett, Merritt, Osborne, Pettigrew, Sanders, Satterthwaite, Smith of Macon, Speed, Washington and Wilson—28.

Mr. Ruffin moved to postpone the further consideration of the subject, until the third Monday in November next, on which the ayes and noes were ordered, on motion of Mr. Holmes, and resulted in the affirmative, as follows:

AYES—Messrs. Allison, Arrington, Badger, Barnes, Batchelor, Battle of Wake, Berry, Bunting, Caldwell, Christian, Councill, Dick, Douthit, Durham, Ellison, Foster of Ashe, Gilmer, Graham, Headen, Henkel, Holden, Holmes, Houston of Duplin, Howard, Jones of Caldwell, Jones of Rowan, Joyce, Long, Mann, McNeill of Cumberland, McNeill of Harnett,

Meares, Merritt, Miller, Mitchell, Moseley, Osborne, Pettigrew, Rhodes, Royster, Ruffin, Sanders, Satterthwaite, Smith of Halifax, Smith of Macon, Speed, Sprouse, Stewart, Strong, Thomas of Jackson, Tracy, Washington, Wilson, Winslow and Woodfin—55.

NOES—Messrs. Biggs, Cannon, Cunningham, Dillard, Grimes, Hargrove, Rayner, Shaw, Thompson, Thornton, Turner and Williams—12.

Mr. Battle of Wake, from the committee on enrollments, reported the following ordinances, as having been examined and found correct, and which were severally signed by the President and attested by the Secretaries :

An Ordinance to provide the ways and means of the State ;

An Ordinance to amend an Ordinance providing for a Board of Claims.

Messrs. Ashe and Houston of Duplin, tendered their resignation as members of this Convention, which were accepted, and the President was directed to issue writs of election for the first Thursday in August next, to fill the vacancies thus created.

The hour for adjournment having arrived, the President addressed the Convention as follows :

#### GENTLEMEN OF THE CONVENTION :

I am profoundly and gratefully impressed by the generous testimonial of kindness just offered me. The highest reward to the public servant is the approbation of those he has endeavored to serve. It is also his highest praise ; and for the bestowal of that approbation upon my humble efforts in the administration of the duties of the Chair, I thank you—sincerely thank you.

If I have been so fortunate as to produce in the minds of the Convention the conviction that *I have tried to do right*, my highest aspirations will have been gratified. That my administration has been without fault, I make no pretense or claim. Perfection belongs to no man. I have, doubtless, committed errors—perhaps too many—but they were unintentional, and were committed in the sincere effort to discharge my duty. Over such

errors, I trust, the generosity of the Convention will throw the mantle of Charity.

We are now about to separate, and, though but for a short interval, the uncertainties of the future, with the unsparing scythe of Time, ever ready for his work, may make this, perhaps, to some of us, the last farewell. I trust, however, that our fortunes may be different, and that each one may return to this Hall, bringing with him the glad tidings that gentle Peace has visited our distracted country, and that her genial and benign influences are felt throughout our land; and may the long prospective before us afford the promise of uninterrupted and successful occupation in all the walks of life, and the assurance that peace, plenty, and prosperity will ever smile in our midst.

May each of you safely return to your family and friends and find them in health and happiness, and may such blessings evermore be yours and their lot, I fervently pray.

I have now no further duty to perform than to declare that this Convention stands adjourned until the third Monday in November next, unless sooner convened in the manner prescribed by the Resolution of this Body.

1. The purpose of this document is to provide a comprehensive overview of the current status of the project and to identify the key challenges that must be addressed in order to ensure its successful completion. The information presented herein is based on the most recent data available and is intended to serve as a guide for decision-making at the highest levels of the organization.

2. The project has made significant progress since its inception, with many of the initial goals being met. However, there are several areas where the progress has been slower than anticipated, and these areas require immediate attention. The primary challenges identified are related to resource allocation, communication, and the integration of the various components of the project.

3. In order to overcome these challenges, it is recommended that the following actions be taken: (a) A detailed review of the resource allocation should be conducted to ensure that all necessary personnel and equipment are available and properly utilized. (b) Improved communication channels should be established to facilitate the exchange of information between all stakeholders involved in the project. (c) A robust plan for the integration of the project components should be developed and implemented to ensure that all parts of the project are working together effectively.

4. The success of the project will depend on the ability of the organization to address these challenges in a timely and effective manner. It is the responsibility of all those involved in the project to work together to ensure that the project is completed on time and within budget. The information provided in this document is intended to assist in this effort and to provide a clear understanding of the current state of the project.

50112

**JOURNAL**  
**OF**  
**THE CONVENTION**  
**OF THE PEOPLE OF**  
**NORTH CAROLINA.**

*Second Session.*

HELD IN NOVEMBER AND DECEMBER, 1861.

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**RALEIGH :**

**JNO. W. SYME, PRINTER TO THE CONVENTION.**  
**1862.**

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# JOURNAL

OF THE

## STATE CONVENTION.

SECOND SESSION, 1861.

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IN CONVENTION, MONDAY, November 18, 1861.

Pursuant to the order of adjournment, made at the last session, the Convention re-assembled this day, and was called to order by the President, Hon. Weldon N. Edwards.

Prayer was offered by Rev. Joseph M. Atkinson, of the Presbyterian Church.

The journal of the last day of the preceding session was read and approved.

The following Delegates, elected to fill vacancies in their respective counties, presented their credentials and took their seats, viz: James H. Bryson, of Cherokee; Richard A. Caldwell, of Rowan; James Dickson, of Duplin; David Schenck, of Lincoln; and George Setzer, of Catawba.

On motion of Mr. Satterthwaite, the roll of members was called, and the following answered to their names, viz: Messrs. Foster of Ashe, Ellison and Warren of Beaufort, Meares of Brunswick, Setzer of Catawba, McNeill of Cumberland, Thomas of Carteret, Bryson of Cherokee, Headen of Chatham, Tracy of Cleveland, Douthitt and Kittrell of Davidson, Sprouse of Davie, Dickson and Rhodes of Duplin, Howard of Edgecombe, Williams of Franklin, Hargrove and Royster of Granville, Darden

of Greene, Johnston of Gaston, Rayner of Hertford, Mann of Hyde, Allison and Mitchell of Iredell, Thomas of Jackson, Sanders of Johnston, Washington of Lenoir, Schenck of Lincoln, Osborne of Mecklenburg, Biggs of Martin, Greenlee of McDowell, Christian of Montgomery, Smith of Macon, Arrington of Nash, Barnes of Northampton, Berry of Orange, Satterthwaite of Pitt, Cunningham of Person, Leak of Richmond, Carson and Durham of Rutherford, Caldwell of Rowan, Hearne of Stanly, Houston of Union, Badger, Battle and Holden of Wake, the President and Mr. Thornton of Warren, Mr. Pettigrew of Washington, Mr. Penland of Yancey, Mr. Armfield of Yadkin, Mr. McNeill of Harnett.

There being no quorum present, on motion of Mr. Satterthwaite, the Convention adjourned until to-morrow morning at 10 o'clock.

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#### IN CONVENTION, TUESDAY, November 19, 1861.

The Convention met pursuant to adjournment, the President in the Chair.

The journal of yesterday was read and approved.

Robert Strange of New Hanover, Neill Kelly of Bladen, elected to fill vacancies in their respective counties, appeared, produced their credentials and took their seats.

Mr. Leak introduced the following resolution, which, on motion of Mr. Biggs, was referred to a select Committee of one from each judicial district :

WHEREAS, The excitement pervading our entire community, arising from the present war, is such as to render it obvious that the present time is inauspicious to cool, calm, and dispassionate consideration ; be it therefore

*Resolved*, That this Convention will entertain no proposition to alter or to amend the Constitution at its present session, but will, on the — day of — adjourn over to the —, subject to the same provisions of being convoked by the President, or upon his death or inability, by a majority of the five Commissioners heretofore appointed.



The President announced the following as the Committee: Messrs. Leak of Richmond, Pettigrew, Warren, Biggs, Mebane, Schenck and McDowell of Madison.

Mr. Foster of Randolph offered the following, which was agreed to:

*Resolved*, That the Comptroller be required to furnish this Convention, at the earliest day practicable, the tabular Statement of the amount of State taxes collected each year, for the last five years, from each county, distinguishing between the various subjects of taxation, as required by a resolution adopted at the first session of this Convention.

Mr. Badger gave notice that he would, on to-morrow, offer an ordinance, the purpose of which would be to protect the good citizens of the State against the unpardonable extortions of speculators and monopolists.

Mr. Rayner introduced an Ordinance to provide for the immediate wants of the Treasury, which passed its first reading. On his motion, the rules were suspended, the ordinance was read the second time and passed. Having been read the third time, on motion of Mr. Badger it was referred to a select committee, on which the President appointed Messrs. Ruffin, Rayner, Satterthwaite, Strange and Carson.

On motion of Mr. Badger a Committee, consisting of Messrs. Badger and Ruffin, was appointed to wait upon His Excellency, the Governor, and inform him of the readiness of this Convention to proceed to the dispatch of public business, and the willingness of the Body to receive any communication from him in relation to public affairs, which he may deem it advisable to make.

On motion of Mr. Satterthwaite the President was authorized to fill all vacancies in the several committees of this Convention, caused by resignation of members of the Body.

The President laid before the Convention the letters of resignation of Messrs. Shaw of Currituck, Lander of Lincoln, and Grimes of Pitt, received by him during the recess, and informed the Convention that he had issued in due time, writs of election to fill the vacancies.

Mr. Osborne announced the death of Azariah C. Stewart, the delegate to the Convention from the County of Alexander, accompanied with the following resolutions, which were unanimously agreed to :

*Resolved*, That this Convention has learned with regret the death of A. C. Stewart, the delegate to this Convention from the County of Alexander.

*Resolved*, That in the untimely death of one so young, so amiable and intelligent, with a life promising so much usefulness to the community, the Convention unites its sympathies with those of his relations and friends, and will wear the usual badge of mourning for the space of thirty days.

*Resolved*, That these resolutions be communicated by the President to the family of the deceased.

On motion of Mr. Osborne, the President was directed to issue his writ of election to the Sheriff of Alexander County to cause an election to be held to fill the vacancy, on Thursday, the 29th instant.

Mr. Hargrove offered the following, which was agreed to :

*Resolved*, That the use of the Hall be granted to Mrs. Heavlin, of Granville, for Wednesday evening, for the purpose of giving readings from Shakspeare, for the benefit of the sick and wounded soldiers of North Carolina.

Mr. Badger, from the committee appointed to wait upon the Governor, reported that the duty had been discharged—the Governor expressed his sense of the courtesy of the Convention, and asked that the Convention be informed that at present he was not prepared to make it any communication, but would, probably, at some future day, feel it to be his duty, as it would be his pleasure, to confer freely with the body upon matters pertaining to the interests of the people.

On motion of Mr. Batchelor, the Convention adjourned until to-morrow morning at 10 o'clock.

IN CONVENTION, WEDNESDAY, November 20, 1861.

At the usual hour the President took the Chair and called the Convention to order. Prayer by Rev. Mr. Broadus, of South Carolina.

The journal of yesterday was read and approved.

The President laid before the Convention a presentment of the Grand Jury of Currituck County, in relation to the Act of the General Assembly, commonly known as the "Stay Law," which, on motion of Mr. Biggs, was ordered to lie on the table.

Peyton A. Atkinson, delegate elect from the county of Pitt, to fill the vacancy occasioned by the resignation of Bryan Grimes, presented his credentials and took his seat in the Convention.

Mr. Leak, from the committee on the Resolution offered by him yesterday, made a report accompanied with a substitute, and recommended its adoption, which, under the rules, lies over one day for consideration.

Mr. Biggs asked the unanimous consent of the Convention that the Resolution be now considered. Objection being made, he moved to suspend the rules for that purpose.

On this question the ayes and noes were ordered, and resulted in the negative—ayes 50, noes 38, (two-thirds not voting in the affirmative,) as follows:

AYES—Messrs. Arrington, Battle of Edgecombe, Biggs, Bunting, Caldwell of Rowan, Calloway, Carson, Cunningham, Darden, Dickson, Dillard, Durham, Edwards, Foster of Ashe, Fuller, Greenlee, Hargrove, Hearne, Holmes, Howard, Johnston, Leak of Richmond, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, McNeill of Harnett, Mebane, Miller, Mitchell, Moseley, Patterson, Penland, Pettigrew, Phifer, Rhodes, Royster, Schenck, Setzer, Smith of Halifax, Strange, Strong, Sutherland, Thompson, Thornton, Tracy, Walton, Whitford, Williams, Williamson and Wooten—50.

NOES—Messrs. Allison, Armfield, Atkinson, Barnes, Batchelor, Battle of Wake, Berry, Bryson, Christian, Douthitt, Eller, Ellison, Foster of Randolph, Gilmer, Graham, Green, Headen, Holden, Houston of Union, Jones of Rowan, Joyce,

Kelly, Kittrell, Mann, Manning, Meares, Merritt, Myers, Osborne, Sanders, Satterthwaite, Smith of Johnston, Smith of Macon, Sprouse, Thomas of Carteret, Turner, Warren and Wilson—38.

Mr. Warren offered the following, which lies over one day :

*Resolved*, That we have undiminished confidence in the courage and loyalty of the officers and soldiers who, after a long and severe bombardment, were compelled to surrender to an overwhelming force, the inadequate defenses at Hatteras, on the 29th of August last, and that they deserve our thanks for their gallant conduct.

Mr. Williams offered the following, which lies over one day :

*Resolved*, That a committee of five be appointed to inquire into the expediency of granting to the Courts of Pleas and Quarter Sessions of this State, to allow free negroes to select their own masters and become slaves, upon petitions to said Courts ; and that said committee report by ordinance or otherwise.

Mr. Ellison offered the following, which lies over one day :

*Resolved*, That on the day succeeding the adjournment of the present session, all the officers and members of this Convention, under the age of fifty years, not engaged in the regular military service, will meet at the Capitol and organize themselves into a company, and tender the same to the State for service during the war, and that said Company arm and equip themselves at their own expense.

On motion of Mr. Graham, the injunction of secrecy was removed from the journal of proceedings, and all papers considered when the Convention sat with closed doors.

The Convention then proceeded to the business on the calendar.

The ordinance relating to the property of persons who have abandoned and left the State ;

A resolution in regard to a postponement of all ordinances proposing amendments to the Constitution ;

The resolution providing for the appointment of a committee on amendments to the Constitution ;

The resolution in regard to the Minister of War ;

The resolution in regard to a Census of the State ;

The resolution declaring the sense of the Convention in relation to the rights of the States and the character of the government of the Confederate States ;

The ordinance regarding the regular sessions of the General Assembly ;

The resolution concerning the disposition of the School Fund during the War ;

Were severally ordered to lie on the table.

The resolution in regard to postal affairs ;

The resolution relating to the printing of matter not intended to be made public ;

The resolution providing for additional clerks to the Military Board ;

The resolution relating to the issue of Treasury notes ;

The resolution respecting the arming of troops ;

The ordinance concerning the employment of troops ;

The ordinance authorizing brevet commissions ;

The ordinance for the relief of the people ;

The ordinance providing for the raising of additional State troops ;

The Resolution in regard to a modification of the Stay Law ;

And the Resolution authorizing the Public Treasurer to borrow money,

Were severally, on motion, indefinitely postponed.

The Resolution proposing to amend the Constitution in relation to appropriations for internal improvements and for other purposes, was read the second time, and on motion, referred to the committee on Finance.

The resolution relating to an increase of the pay of soldiers was, on motion of Mr. Thomas of Jackson, recommitted to the committee on Military Affairs, with instruction to inquire into the propriety of the passage of an Act in relation thereto, by the Confederate Congress.

The Ordinance in relation to limiting the public debt being on its second reading,

Mr. Barnes moved to postpone the further consideration of the same until Friday next at 12 o'clock, and it was not agreed to.

On motion of Mr. Thomas of Jackson, it was referred to the committee on taxation, revenue and the public debt.

The President laid before the Convention a communication from C. H. Brogden, Comptroller of Public Accounts, in response to a resolution of the Convention, accompanied with a tabular statement showing the amounts severally received from the various subjects of taxation for the last five years.

On motion of Mr. Graham, it was ordered to lie on the table, and ten copies of the tabular statement to be printed for each member of the Convention.

Then, on motion of Mr. Graham, the Convention adjourned.

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#### IN CONVENTION, THURSDAY, November 21, 1861.

The President took the chair and called the Convention to order. The journal of yesterday was read and approved.

The President announced that the following gentlemen were appointed to fill vacancies in the several committees named, caused by resignation of members :

*Committee on the subject of Taxation*—Messrs. Schenck, Caldwell of Mecklenburg, and Holmes.

*Military Affairs*—Mr. Lyon.

*Thirty-third section of Constitution*—Mr. Atkinson.

*On Eligibility of Clergymen to seats in the General Assembly*—Mr. Caldwell of Rowan.

*On Eligibility of Members of the General Assembly*—Mr. Kelly.

*On the Address setting forth the reason why the State of North Carolina severed her Connection with the United States*—Messrs. Leak of Richmond, Strange and Howard.

Mr. Foster of Randolph presented a petition from sundry citizens of Randolph County, touching the subject of the act of the General Assembly, commonly known as the "Stay Law," which, on his motion, was referred to a select committee.

On motion of Mr. Schenck, the President was authorized to appoint a committee of one from each Congressional district, upon the subject embraced in the petition just introduced.

Mr. Johnston presented several petitions from Gaston County on the same subject, which, on his motion, were referred to the same committee.

Mr. Christian offered the following, which lies over one day:

*Resolved*, That our Senators and Representatives of the Confederate Congress be requested to vote for an increase of the pay of the common soldiers of the Confederate army.

Mr. Woodfin offered the following, which, the rules being suspended, was agreed to :

*Resolved*, That a committee of five be appointed by the President to inquire and report upon the supply of salt in this State, and if found insufficient, that they inquire and report the best mode of relief, and that they report by ordinance or otherwise.

Mr. Headen offered the following, which lies over one day:

*Resolved*, That a committee of five be appointed to inquire whether any, and if any, what laws or ordinances are necessary and proper to be passed by this Convention for the purpose of sequestrating, confiscating, or otherwise disposing of the property of alien enemies, or of persons who have abandoned the State and taken refuge among the enemies of the Confederate States, giving them aid and comfort; that all propositions now pending before the Convention in relation to this subject be referred to said committee, and that said committee report by ordinance or otherwise.

Mr. Carson offered the following, which lies over one day:

*Resolved*, That a committee, to consist of one member from each Congressional District, be appointed, whose duty it shall be to examine into the accounts, contracts and disbursements of the several disbursing agents of this State, from the first of April last up to the present time, and that said committee have power to send for persons and papers, and to examine witnesses under oath, and that said committee have power to employ such clerical force as may be necessary, and make report of their proceedings at the earliest practicable day.

The substitute presented yesterday by a committee, for the resolution of Mr. Leak, of Richmond, in regard to adjournment, was taken up.

Mr. Foster, of Randolph, moved that it lie on the table.

On this motion the ayes and noes were ordered, on motion of Mr. Biggs, and resulted in the affirmative, ayes 56, noes 43, as follows :

AYES—Messrs. Allison, Armfield, Arrington, Badger, Barnes, Batchelor, Berry, Bend, Bryson, Calloway, Cannon, Carson, Christian, Dick, Douthitt, Eller, Ellison, Foster of Ashe, Foster of Randolph, Gilmer, Gorrell, Graham, Green, Hamlin, Headen, Hearne, Holden, Houston, Jones of Rowan, Joyce, Kittrell, Mann, Manning, Meares, Mebane, Merritt, Mitchell, Myers, Osborne, Patterson, Phifer, Rayner, Ruffin, Sanders, Satterthwaite, Smith of Johnston, Smith of Macon, Sprouse, Spruill of Tyrrell, Thomas of Carteret, Thomas of Jackson, Turner, Warren, Washington, Wilson and Woodfin—56.

NOES—Messrs. Atkinson, Battle of Edgecombe, Biggs, Bunting, Cunningham, Darden, Dickson, Dillard, Durham, Edwards, Fuller, Greenlee, Hargrove, Holmes, Howard, Johnston, Kelly, Leak of Anson, Leak of Richmond, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, McNeill of Harnett, Miller, Moseley, Penland, Pettigrew, Rhodes, Royster, Schenck, Setzer, Smith of Halifax, Strange, Strong, Sutherland, Thompson, Thornton, Tracy, Walton, Ward, Williams, Williamson and Wooten—43.

Mr. Badger asked and obtained leave to introduce the ordinance of which he gave notice on Tuesday, viz : An Ordinance for suppressing oppressing speculation upon the present necessities of the people, and for enabling the Governor to cause provisions to be seized for public use ; which passed the first reading, and was ordered to lie on the table and be printed.

On motion of Mr. Kittrell, this ordinance was made the special order of the day for to-morrow at 12 o'clock.

The business on the calendar was then taken up.

The ordinance to amend the Constitution in regard to calling the ayes and noes in the General Assembly, passed the third reading and was ordered to be enrolled.

The resolution relating to free negroes was, on motion of Mr. Sprouse, referred to the committee on the Bill of Rights.



The resolution to reduce the pay of army officers was, on motion of Mr. Biggs, referred to the committee on Military Affairs.

The resolution in regard to the issue of Treasury notes, being on its second reading, was, on motion of Mr. Badger, indefinitely postponed.

The ordinance respecting test oaths, was read the second time.

Mr. Ellison moved to strike out the third section thereof.

Mr. Ruffin moved to refer to a select committee.

Mr. Ellison moved to postpone indefinitely.

On motion of Mr. Ruffin the galleries and lobbies were cleared, and the Convention proceeded to sit with closed doors.

After some time spent in secret session, the doors were opened, when Mr. Ellison withdrew his motion to indefinitely postpone the subject last under consideration in the open session, and the question recurring, on the motion of Mr. Ruffin, to refer it to a select committee, was decided in the affirmative.

The President announced the following to constitute the committee, viz: Messrs. Biggs, Badger, Graham, Rayner and Woodfin.

And then, on motion, the Convention adjourned.

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#### IN CONVENTION, FRIDAY, November 22, 1861.

The President took the chair and called the Convention to order.

The journal of yesterday was read and approved.

T. B. Lyon, delegate elect from Granville County, to fill the vacancy occasioned by the resignation of Hon. A. W. Venable, appeared, produced his credentials, and took his seat.

Mr. Woodfin offered the following, which lies over one day:

*Resolved*, That a committee of ten be appointed—one from each Congressional District in the State—to take into consideration the basis of representation in the Senate and House of Commons of the State Legislature; and that they report such amendments to the Constitution as to give every section of the

State a just and equitable representation, having due regard to population and taxation.

Mr. Schenck offered the following, which lies over one day:

*Resolved*, That the sixth article of the Constitution be so amended as to strike out the land qualification for members of the House of Commons, and insert a property qualification according to value.

Mr. Thomas, of Jackson, offered the following, which lies over one day:

*Resolved*, That, whereas, there remains in the State a small remnant of the Cherokee tribe of Indians, under the guarantees of the State, as expressed in the act of 1783, which guaranteed the title of their lands, and under their ancient usages and customs, the right to govern their own people, embracing the portion of the State in which they now reside; and, whereas, under the subsequent treaty concluded with the tribe, by Gen. Andrew Jackson, Commissioner on the part of the United States, in the year 1817, article 8; treaty of 1819, article 2; treaty of 1835, article 12; treaty of 1846, article 9; the United States, as one of the considerations for the valuable concessions of lands made for the benefit of this State under those treaties, guaranteed to those Indians the right to become citizens of the United States, and of the State of North Carolina; and, whereas, a question has arisen, growing out of the secession of this State, as to the political condition of those Indians, and to what government they owe allegiance; whether under the treaty it be due to the United States government, or whether, under the act of secession it be due as citizens of the State to the government of the State, and under the Constitution of the Confederate States, article 1, to the Confederate States of America. For the purpose of ascertaining the facts and making such amendments to the Constitution and laws of the State as may be deemed necessary for the preservation of good faith on the part of the State, and at the same time justify those Indians, agreeably to the laws of nations, in taking up arms in defense of the rights of the States against her enemies, the President be authorized to appoint a select committee of one member

from each Congressional District to inquire into and report such ordinance or ordinances as may be deemed necessary to accomplish those objects.

Mr. Jones, of Rowan, offered the following, which lies over one day :

*Resolved*, That we, the Delegates of the people of North Carolina, in Convention assembled, entertain an undiminished confidence in the justice of the cause for which we have taken up arms, and we hold it to be the duty of the people of these Southern States to maintain and uphold that cause with all the means they can command :

That in behalf of the people of North Carolina, we declare to our sister States of this Confederacy, and to the world, that no measure of loss—no sacrifice of life or property ; no privation, or want, or suffering, shall cause us to shrink from the performance of our whole duty in the achievement of our independence :

That from the cruel and barbarous manner in which our enemies have carried on this war ;—a war in which aged and dignified men, and helpless women, have been seized, and without accusation or warrant of authority, cast into prison ;—in which private property has been wantonly destroyed ;—in which robbery and arson are principal means of aggression ; and in which servile insurrection has been proclaimed, we are convinced there is a “social incompatibility” between such a people and ourselves ; that from them “our separation is final, and for the independence we have asserted, we will accept no alternative.”

*Resolved*, That we have full confidence in the wisdom, integrity and patriotism of the President of the Confederate States, and we congratulate him and our whole country upon the success with which he has administered the government.

That to the officers and soldiers who have gone forth to meet the dangers of this war, we are under a deep debt of gratitude for the valor and fortitude with which they have defended us from the assaults of our enemies and illustrated the glory of our arms.

*Resolved*, That a copy of these resolutions be sent to our Representatives in Congress, with a request that they be com-

municated to His Excellency, the President of the Confederate States, and to Congress.

Mr. Schenck moved to suspend the rules so that said Resolutions be now considered, and it was not agreed to.

Mr. Graham offered the following, which, the rules being suspended, was now considered :

*Resolved*, That committees be appointed, to whom shall be made the references following, to-wit :

1st. A committee of ——— members, to be styled the Legislative Committee, to whom shall be referred all such parts of the Constitution of the State as relate to the legislative department of the government ; the apportionment and election of its members ; its powers and restrictions thereon ; the rules of its proceedings, &c., and that all propositions of amendment in this department be referred to said committee.

2d. A committee of ——— members, to be styled the Executive Committee, to whom shall be referred all such parts of the Constitution as relate to the Executive Department, including those which relate to the offices of Secretary of State and Treasurer ; and that all propositions of amendment be referred to said committee.

3d. A committee of ——— members, to be styled the Judiciary Committee, to whom shall be referred all such parts of the Constitution as relate to the Judicial Department, including the appointment, removal and compensation of Judges, and likewise such parts as relate to the office of Attorney General, the exemption of honest debtors from imprisonment, bail to prisoners, and that all propositions of amendment in these several particulars be referred to said committee.

4th. That so much of said Constitution as relates to Justices of the Peace, be referred to the committee on Justices.

5th. That as much thereof as relates to the modes of amending the Constitution, be referred to a select committee.

6th. That so much thereof as relates to the condition and rights of foreigners in this State ; to schools and universities, and to other subjects not embraced within the foregoing Resolutions, be referred to a select committee ;

And that said several committees have leave to report by Ordinance to this Convention.

On motion of Mr. Thomas, of Jackson, the several blanks in the foregoing resolutions were filled with the words, "ten, one from each Congressional District."

The resolution, as amended, was then agreed to, ayes 56, noes 31, and were ordered to be printed.

Mr. Smith, of Macon, introduced an ordinance to repeal the 14th chapter of the acts of the second special session of the General Assembly, entitled "an act to alter the rules of evidence as applicable to Indians," which passed its first reading and was ordered to be printed.

Mr. Headen introduced "an ordinance to add a section to the Constitution of the State," which passed its first reading and was ordered to be printed.

The resolution offered by Mr. Headen, on yesterday, in relation to the property of aliens, was then taken up, and, on motion of Mr. Badger, ordered to lie on the table.

Mr. Leak, of Richmond, offered the following, which was agreed to:

*Resolved*, That the employees of the Raleigh Register office be relieved from militia drill during the sitting of the Convention, in order to enable the printer to do the printing of the Convention:

Mr. Meares offered the following, which was agreed to:

*Resolved*, That the ladies of Raleigh shall have the use of the Hall of the House of Commons, on Tuesday next, from and after one o'clock.

The order of the day, being the ordinance heretofore introduced by Mr. Badger, to suppress speculation, &c., was then taken up.

Mr. Badger offered the following amendment: Insert in the first section, after the words "necessitous persons," in line 12, the following: "And whosoever, having in his hands or under his control any of the before-mentioned articles, not intended for his own use or that of his family and dependents, or for some such charitable use as aforesaid, shall refuse to sell the

same to, or shall ask or demand therefor, unreasonable prices, from any person or persons desiring to purchase for their own personal use or for that of their families or dependents, or for such charitable use as aforesaid."

Mr. Ruffin moved to amend the amendment by inserting after the word "control," in the second line, the words, "by the means aforesaid," on which the ayes and noes ordered.

Messrs. Leak, of Richmond, and Badger gave notice of amendments they would offer at the proper time, which were read for information, and ordered to be printed.

Pending the consideration of the subject, the Convention adjourned.

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### IN CONVENTION, SATURDAY, November 23, 1861.

The President took the Chair and called the Convention to order.

The journal of yesterday was read and approved.

Mr. Turner presented a petition from citizens of Moore County on the subject of the Stay Law passed by the General Assembly, which, on his motion, was referred to the committee on that subject.

Mr. Ruffin presented a petition from citizens of Alamance County on the same subject, which, on his motion, was referred to the same committee.

Mr. Satterthwaite offered the following, which lies over one day:

WHEREAS, A tax of fifty cents on every hundred dollars worth of property in North Carolina has been laid by the Confederate Government, to be paid in specie, or in Treasury notes of the Confederate Government; and whereas, the present financial embarrassment and general depreciation in the price of productions of the country renders it almost certain that the people will not be able to make said payments in the manner and at the time required without producing serious pecuniary distress; be it, therefore,

*Resolved*, That a committee of five be appointed by the President, whose duty it shall be to inquire into the propriety and practicability of this Convention providing for the payment of said tax, so as to afford some relief to the people; and that they report by ordinance or otherwise.

Mr. Thomas, of Jackson, offered an ordinance to enlarge the powers of Justices of the Peace, which passed the first reading.

Mr. Biggs, from the committee to whom was referred an "Ordinance respecting Oaths," made a report thereon, accompanied with a substitute therefor, recommending its passage; which report and ordinance, on motion of Mr. Gorrell, were ordered to lie on the table and be printed.

Mr. Thomas, of Jackson, offered the following, which lies over one day:

*Resolved*, That a committee of five members be appointed by the President to take into consideration, all repeals of, or amendments to, the Acts of the General Assembly, and that it be their duty to report thereon to the Convention.

Mr. Pettigrew introduced an Ordinance in relation to the appointment and commissioning of militia officers, which passed its first reading and was ordered to be printed.

The Resolution introduced yesterday by Mr. Carson, was then taken up, amended, on motion of Mr. Graham, by providing that the committee proposed to be raised should consist of *five* members instead of *ten*, and was then agreed to.

Mr. Meares offered the following Resolution, which passed its first reading:

*Resolved*, That the Governor be, and he is hereby authorized to transfer to Col. W. J. Green's Independent Regiment of North Carolina Volunteers, such military companies as have been accepted and not assigned to any other regiments.

The rules were suspended and the Resolution read the second time.

Mr. Howard moved to amend the same as follows: "Provided that no member of a company shall be required to join said service without his consent," which was agreed to.

Mr. Graham moved to add to the amendment just adopted the words, "given in writing," which was also agreed to.

Mr. Ferebee moved to postpone the further consideration of the subject until Monday next, which was not agreed to.

The Resolution then passed the second reading and was read the third time.

Mr. Ruffin moved to insert after the word, "Governor," the words, "if he shall deem it proper," which was agreed to.

Mr. Howard moved to strike out the words inserted on his motion on the second reading, and it was not agreed to.

The Resolution then passed the third reading and was ordered to be enrolled.

The Ordinance to suppress speculation, &c., was taken up.

Mr. Howard gave notice of certain amendments which he would offer at the proper time, which were read for information and ordered to be printed.

The further consideration of the subject was then postponed until Monday at 12 o'clock.

On motion of Mr. Rayner, the ordinance heretofore introduced by him, to provide for the immediate wants of the Treasury, was made the special order for Tuesday next, at 12 clock.

Then, on motion of Mr. Green, the Convention adjourned until Monday.

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### IN CONVENTION, MONDAY, November 26, 1861.

The President took the chair and called the Convention to order. Prayer by Rev. Joseph M. Atkinson, of the Presbyterian Church.

The journal of Saturday was read and approved.

The President announced the following committees:

*On the Legislative Department*—Messrs. Graham, Rayner, Smith of Halifax, Strong, Meares, Brown, Foster of Randolph, Caldwell of Rowan, McDowell of Burke, and Woodfin.

*On the Executive Department*—Messrs. Howard, Dillard, Green, Leak of Richmond, Arrington, Gilmer, Headen, Miller, Calloway and Greenlee.



*On the Judicial Department*—Messrs. Ruffin, Biggs, Battle of Edgecombe, Sanders, Strange, Mitchell, Badger, Kittrell, Johnston and McDowell of Madison.

*On the modes of amending the Constitution*—Messrs. Osborne, Barnes, Warren, Thompson, McNeill of Cumberland, Holden, Cunningham, Leak of Anson, Phifer, Armfield and Smith of Macon.

*On the Stay Law*—Messrs. Schenck, Walton, Ellison, Ward, Holmes, Royster, Mebane, Turner, Jones of Caldwell and Thomas of Jackson.

*On Foreigners, Schools, &c.*—Messrs. Pettigrew, Gorrell, Bunting, Thornton and Patterson.

*On Army Contracts*—Messrs. Satterthwaite, Carson, Dickson, Jones of Rowan and Setzer.

*On payment of the Confederate Tax*—Messrs. Satterthwaite, Dick, Hargrove, Ferebee and Long.

Mr. Ferebee offered the following:

*Resolved*, That the Governor be authorized and requested to accept the services of four additional companies of twelve months volunteers, and to offer the same to be attached to the six companies now stationed near Portsmouth, Virginia, and commanded by Lt. Col. William T. Williams.

*Resolved*, That the companies of said regiment be entitled to the same bounty and pay as are provided in an act of the General Assembly, entitled "an act to provide for the public defense," ratified on the tenth day of May, 1860.

The resolutions were, on motion, referred to the committee on military affairs.

Mr. Osborne offered the following, which lies over one day:

*Resolved*, That the committee on military affairs be instructed to enquire into the expediency of exempting from military duty, all operatives now engaged in the various factories of this State, employed in furnishing manufactured articles for the State or Confederate government.

Mr. Manning introduced an ordinance providing for an exchange of bonds and for other purposes, which passed its first reading and was, on motion, referred to the committee on the Coalfields connection.

On motion of Mr. Manning, the President was authorized to appoint two additional members on said committee.

On motion of Mr. Headen, the various subjects reported on at the last session by said committee were recommitted to the committee on the Coalfields connection.

Mr. Gorrell introduced an ordinance concerning the Superior Courts of Law, and the Supreme Court, which passed its first reading and was, on motion, referred to the committee on Judicial questions.

The resolution of Mr. Satterthwaite in relation to the Confederate Tax was then taken up and agreed to, and the President announced the committee, the list of which is to be found in a preceding part of this day's journal.

On motion of Mr. Ruffin, the resolution introduced during the last session, relating to appropriations, was referred to the Legislative committee.

On motion of Mr. Ellison, the committee on certain sections of the Bill of Rights were discharged from the further consideration of the subject, and the same was referred to the Legislative committee.

The ordinance to add another section to the Constitution was, on motion of Mr. Headen, referred to the same committee.

The resolution in relation to reprieves, pardons, &c., was, on motion, referred to the Executive committee.

The resolution proposing a reduction in the number of the members of the General Assembly, and a classification of Senators, was, on motion, referred to the Legislative committee.

The ordinance concerning the appointment and commissioning of militia officers, was read the second time, and on motion, referred to the committee on Military Affairs.

The ordinance to enlarge the powers of Justices of the Peace was read the second time, and, on motion, referred to the committee on Justices of the Peace.

The Resolutions of confidence in the justice of our cause, and the patriotism and integrity of the administration were then adopted unanimously, on a call of the ayes and noes; ordered on motion of Mr. Satterthwaite, as follows :

AYES—Messrs. Allison, Armfield, Arrington, Atkinson, Barnes, Batchelor, Battle of Edgecombe, Battle of Wake, Berry, Biggs, Bond, Brown, Bryson, Bunting, Calloway, Cannon, Carson, Cunningham, Darden, Dick, Dickson, Dillard, Douthitt, Durham, Edwards, Eller, Ellison, Ferebee, Fuller, Gilmer, Gorrell, Graham, Green, Greenlee, Hargrove, Headen, Hearne, Hicks, Holden, Houston, Johnston, Jones of Caldwell, Jones of Rowan, Joyce, Kelly, Leak of Anson, Leak of Richmond, Long, Lyon, Mann, Manning, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, McNeill of Harnett, Meares, Mebane, Merritt, Miller, Mitchell, Moseley, Myers, Osborne, Patterson, Penland, Pettigrew, Phifer, Rayner, Rhodes, Royster, Ruffin, Sanders, Satterthwaite, Schenck, Setzer, Smith of Halifax, Smith of Johnston, Smith of Macon, Sprouse, Spruill of Tyrrell, Strange, Strong, Sutherland, Thomas of Carteret, Thomas of Jackson, Thornton, Turner, Walton, Ward, Warren, Whitford, Williams, Williamson, Wilson, Woodfin and Wooten—93.

The ordinance relating to eligibility of members of the General Assembly, was, on motion, referred to the Legislative committee.

The ordinance declaring the political status of citizens of the State holding office under the government of the United States, was, on motion, referred to a select committee.

The ordinance relating to the eligibility of preachers of the gospel to seats in the General Assembly, was, on motion, referred to the Legislative committee.

The resolution in regard to certain lands in Haywood County, owned or claimed by alien enemies, was, on motion of Mr. Strong, referred to a select committee.

The ordinance to repeal the 14th chapter of the acts of the General Assembly, passed at its second special session, was then read the second time.

Pending the consideration thereof, the hour arrived for the consideration of the special order, being the ordinance to suppress speculation, when, on motion of Mr. Badger, the same

was postponed to allow the Convention to dispose of the pending subject.

Mr. Thomas, of Jackson, moved to refer the ordinance to a select committee, which was not agreed to.

Mr. Biggs moved that the subject lie on the table, on which motion the ayes and noes were ordered, and resulted in the negative, ayes 32, noes 66, as follows:

AYES—Messrs. Battle of Edgecombe, Biggs, Brown, Bunting, Darden, Dickson, Dillard, Durham, Edwards, Fuller, Green, Johnston, Jones of Rowan, Kelly, McDowell of Burke, McNeill of Cumberland, Moseley, Patterson, Penland, Pettigrew, Phifer, Rayner, Rhodes, Strange, Strong, Sutherland, Thornton, Turner, Ward, Williamson, Woodfin and Wooten—32.

NOES—Messrs. Allison, Armfield, Arrington, Atkinson, Badger, Barnes, Batchelor, Battle of Wake, Berry, Bond, Bryson, Calloway, Cannon, Carson, Cunningham, Dick, Douthitt, Eller, Ellison, Ferebee, Foster of Ashe, Gilmer, Gorrell, Graham, Greenlee, Hargrove, Headen, Hearne, Hicks, Holden, Houston, Jones of Caldwell, Joyce, Kittrell, Leak of Anson, Leak of Richmond, Long, Lyon, Mann, Manning, McDowell of Madison, Meares, Mebane, Merritt, Miller, Mitchell, Myers, Osborne, Royster, Ruffin, Sanders, Satterthwaite, Schenck, Setzer, Smith of Halifax, Smith of Johnston, Smith of Macon, Sprouse, Spruill of Tyrrell, Thomas of Carteret, Thomas of Jackson, Walton, Warren, Whitford, Williams and Wilson—66.

After some further discussion, Mr. Biggs moved to proceed to the orders of the day, which was not agreed to.

Mr. Thomas, of Jackson, moved that the Convention adjourn, which was not agreed to.

The ordinance then passed the second reading.

On motion of Mr. Badger, the rules were suspended, and the ordinance passed the third reading, and was ordered to be enrolled.

A message was received from his Excellency the Governor, through the hands of Pulaski Cowper, Esq., his Private Secretary, which, on motion, was referred to the committee on the immediate wants of the Treasury.

On motion of Mr. Badger, the ordinance on the subject of finances, which had been made the special order for to-morrow at 12 o'clock, was made the order for half-past 10 o'clock, A. M.

On motion of Mr. Ferebee, the Convention adjourned.

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IN CONVENTION, TUESDAY, November 26, 1861.

The President took the Chair and called the Convention to order. Prayer by Rev. Henry Hardie, of the Presbyterian Church.

The journal of yesterday was read and amended.

The President announced the following committees:

*On the political status of citizens of this State who hold office under the United States*—Messrs. Rayner, Battle of Wake, Williamson, Osborne and Batchelor.

*On Resolutions relating to a change in the Bill of Rights*—Messrs. Ellison, Badger, Holmes, Ruffin and Dick.

*On lands in Haywood County belonging to alien enemies*—Messrs. Strong, Hicks, Fuller, Headen, Wilson.

*On Coalfields Road (additional)*—Messrs. Gilmer and Barnes.

On motion of Mr. Biggs, the Secretary was instructed to have printed a list of the committees of this body.

Mr. Ferebee offered the following, which lies over one day:

*Resolved*, That the committee on the condition and rights of foreigners in this State, be instructed to report an ordinance, declaring—

1st. That no one who shall become a citizen of the Confederate States of America, after the close of the existing war, shall be entitled to vote until he has been a resident thereof for twenty-one years.

2d. That no such person shall be eligible to a seat in either branch of the General Assembly, to the office of Governor, or Judge of the Superior or Supreme Court.

The hour having arrived for taking up the special order of the day, the same was, on motion of Mr. Ruffin, postponed until to-morrow at half-past 10 o'clock.

Mr. Graham offered the following :

*Resolved*, That the committee on the Judiciary be instructed to inquire into the expediency of providing for separate courts of justice in all cities and towns having more than two thousand inhabitants.

On his motion the rules were suspended and the resolution was agreed to.

The ordinance to amend the 6th section of the Constitution, was, on motion of Mr. Schenck, referred to the Legislative committee.

The ordinance to amend the 13th section of the Constitution was, on motion of Mr. Smith, of Johnston, referred to the Judicial committee.

The resolution of Mr. Ellison, relating to a volunteer company to be composed of the officers and members of the Convention, was, on motion, ordered to lie on the table.

The ordinance heretofore offered by Mr. Badger, to suppress speculation, &c., was taken up for consideration, the pending question being on the amendment offered by Mr. Ruffin to an amendment proposed by Mr. Badger, on which the ayes and noes had been ordered, and were now taken, and resulted in the affirmative, ayes 83, noes 17, as follows :

AYES—Messrs. Allison, Arrington, Atkinson, Barnes, Batchelor, Battle of Edgecombe, Battle of Wake, Berry, Biggs, Bond, Brodnax, Brown, Bryson, Bunting, Calloway, Cannon, Cunningham, Darden, Dick, Dickson, Dillard, Douthitt, Durham, Edwards, Eller, Ellison, Ferebee, Foster of Ashe, Foy, Fuller, Gilmer, Gorrell, Graham, Hargrove, Headen, Hicks, Houston, Johnston, Jones of Caldwell, Jones of Rowan, Joyce, Kittrell, Leak of Anson, Leak of Richmond, Long, Lyon, Mann, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, Meares, Mebane, Merritt, Miller, Moseley, Myers, Osborne, Pettigrew, Phifer, Rhodes, Royster, Ruffin, Sanders, Satterthwaite, Schenck, Setzer, Shipp, Smith of Halifax, Smith of Macon, Sprouse, Strong, Sutherland, Thornton, Turner, Walton, Ward, Warren, Washington, Williams, Williamson, Wilson, Woodfin and Wooten—83.

NOES—Messrs. Armfield, Badger, Carson, Green, Greenlee, Hearne, Holden, Kelly, Moody, Patterson, Penland, Rayner, Smith of Johnston, Spruill of Tyrrell, Strange, Thomas of Cateret, and Whitford—17.

The question being then upon the amendment as amended, it was agreed to.

Mr. Badger now moved to amend as follows: Insert at the end of the 10th line, after the word, "consumption," the words, "or for sale at reasonable prices," which was agreed to.

Mr. Batchelor moved to amend by striking out the word, "prices," in the 8th line, and inserting the word, "profits,"

Pending the consideration of which the hour arrived, when, according to a resolution previously agreed to, the Convention adjourned.

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#### IN CONVENTION, WEDNESDAY, November 27, 1861.

The Convention met, the President in the Chair. Prayer by Rev. Joel W. Tucker, of the M. E. Church, South.

The journal of yesterday was read and approved.

Mr. Jones, of Caldwell, presented a petition from sundry citizens of Caldwell County, praying relief from the operations of the Stay Law, by a repeal of the same, which was read and referred to the committee on that subject.

Mr. Sanders offered the following, which lies over one day:

*Resolved*, That from and after to-morrow, this Convention will meet daily at 10 o'clock, a. m., and adjourn at 2, p. m., re-assemble at 4 o'clock and adjourn at its discretion.

Mr. Warren offered the following:

*Resolved*, That the Constitution ought to be amended by striking out the whole of the second clause of section 1, of the 4th article of the amendments to the Constitution, which on his motion was referred to the committee on the mode of amending the Constitution.

Mr. Warren also offered the following, which lies over one day:

*Resolved*, That the Adjutant General be requested to inform this Convention, whether the company officers of the troops in the service of the State, have, through their commanding officers, reported to him, as required by the 2d section of an Act entitled "An Act concerning future requisitions of troops," ratified on the 12th day of September, 1861, and if so, to furnish to the Convention a statement of the number of troops, rank and file, in service from North Carolina, the names and residences of all regimental and field officers, and the number of troops from each county in the State, whether the companies to which they belong were formed in the county or not.

The resolution heretofore introduced by Mr. Williams in regard to enslaving free negroes was then read, and, on his motion, referred to a select committee.

The resolution heretofore introduced by Mr. Woodfin, in regard to the basis of representation, was referred to the Legislative committee.

Mr. Woodfin, from the committee on the supply of Salt, made a report, accompanied by an ordinance on the subject, which passed the first reading, and, together with the report, was ordered to lie on the table and be printed.

Mr. Washington gave notice of an amendment which he would offer at the proper time, which was ordered to be printed also.

On motion of Mr. Gilmer, the ordinance to amend the Constitution, so as to provide for annual sessions of the General Assembly, was taken up, and referred to the Legislative committee.

Mr. Ruffin, from the committee on the wants of the Treasury, reported a substitute for the ordinance referred to the committee, which, with a communication from the Governor on the subject, was ordered to be printed.

On motion of Mr. Ruffin, the said ordinance was made the special order for to-morrow at 11 o'clock.

The unfinished business of yesterday, the ordinance to suppress speculation, was then taken up, the question being on Mr. Batchelor's amendment to substitute "profits" for "prices."



On this question the ayes and noes were ordered, on motion of Mr. Green, and resulted in the negative, ayes 30, noes 71, as follows:

**AYES**—Messrs. Atkinson, Batchelor, Battle of Edgecombe, Battle of Wake, Brown, Bunting, Darden, Dickson, Dillard, Durham, Foster of Ashe, Fuller, Greenlee, Hicks, Howard, Johnston, McNeill of Cumberland, McNeill of Harnett, Moody, Moseley, Myers, Patterson, Schenck, Setzer, Smith of Halifax, Strong, Sutherland, Ward, Williamson and Wooten—30.

**NOES**—Messrs. Allison, Armfield, Arrington, Badger, Barnes, Berry, Biggs, Bond, Brodnax, Bryson, Caldwell of Rowan, Calloway, Cannon, Carson, Cunningham, Dick, Douthitt, Edwards, Eller, Ellison, Ferebee, Foy, Gilmer, Gorrell, Graham, Green, Hargrove, Headen, Hearne, Holden, Holmes, Jones of Rowan, Joyce, Kelly, Leak of Anson, Leak of Richmond, Long, Lyon, Mann, Manning, McDowell of Burke, McDowell of Madison, Meares, Mebane, Merritt, Miller, Osborne, Penland, Pettigrew, Phifer, Rayner, Rhodes, Royster, Ruffin, Sanders, Shipp, Smith of Johnston, Smith of Macon, Sprouse, Spruill of Tyrrell, Strange, Thomas of Carteret, Thompson, Thornton, Walton, Warren, Washington, Whitford, Williams, Wilson and Woodfin—71.

Mr. Leak, of Richmond, gave notice of an amendment which he would propose at the proper time.

Mr. Barnes moved to amend by inserting after the word, "means," in the third line, the words, "except by producing," which was agreed to.

Mr. Barnes also moved to amend by striking out all between the word, "be," in the 27th line, and the word, "and" in the 29th line, and insert the words, "punished by the Court as for a misdemeanor," which was agreed to.

Mr. Mebane moved to amend by striking out all after the word, "grain," in the 5th line, down to the word, "fish," in the 6th line; not agreed to.

He also moved to strike out the words, "other dead victual," in the 6th line, which was not agreed to.

Mr. Ruffin moved to strike out the word, "cheese," in the 5th line, which was not agreed to.

Mr. Smith, of Johnston, moved to insert after the word, "prices," in the 8th line, the words, "or to convert the same, or any part thereof, into distilled spirits," but after some discussion thereon, he withdrew the amendment.

Mr. Leak, of Richmond, offered the following amendment: Strike out all after the enacting clause, and insert—

"1. That whenever the Governor of this State shall suspect that any individual or company of individuals hold any quantity of salt for the purpose of extorting from the necessities of the people, or upon the necessities of the State or the Confederate Government, it shall be his duty to seize the same by his constituted Agent or Agents for the purposes hereinafter indicated.

2. Upon the seizure of the salt as aforesaid, by the agent or agents aforesaid, the Governor shall choose one freeholder of the city, town, or county, where the seizure was made, and the individuals or company of individuals, owning or holding said property, may elect also one freeholder, in no way interested in said salt, or connected with any one who is interested therein, and the persons thus chosen shall appoint a third freeholder, in like manner disinterested: But if the party owning or holding said property, shall decline to select a freeholder for the space of twenty-four hours, then the Governor shall choose two freeholders, who shall elect a third, who shall be in no way interested in said salt, or connected with any one interested therein.

It shall be the duty of the freeholders thus chosen by the parties in the first instance, or by the mode pointed out in the second instance, after being duly sworn faithfully to perform the duties now imposed, to ascertain as nearly as they can, under all the circumstances, what is a fair and reasonable price to be demanded, either by the bushel or by the sack, as the case may be, by the owner or owners, holder or holders, aforesaid; and the freeholders, aforesaid, thereupon, with as little delay as practicable, shall report their action in the premises to the Governor, and give to the owner or owners, or their agent, a certificate of said valuation.

If, thereafter, the owner or owners, or their agents, shall refuse to sell said property at the valuation affixed by the freeholders, on first being presented by the freeholders aforesaid,

with a draft drawn by the Governor aforesaid, upon the Treasurer of the State of North Carolina, which draft the Governor is authorized to give, and the Treasurer to pay, the salt so seized shall be retained by the freeholders and be subject to the following disposition by the Executive: That is to say, the salt so seized or purchased by the Governor, under this ordinance, shall be by him distributed at such points as he shall deem best, and sold for cash to consumers only, (by agents appointed by him,) at such prices as will cover the costs, including interest, transportation and commissions.

The verdict of the jury aforesaid, shall be final and subject to no appeal, and should they increase the assessment made by the freeholders in the first instance, then the county in which the seizure was made, shall pay all costs, including a tax fee of twenty dollars to complainant's attorney; but, if there be no reduction of the valuation, then the complainant shall pay all costs, including a tax fee of twenty dollars to the counsel employed by the Governor, for which the court shall sue out its execution. The increased valuation shall bear interest from the time of seizure up to the time of its presentation for payment at the Treasury, when, should its payment be refused by the Treasurer, upon the presentation of the Governor's draft by the owner, or by his or their agent, then the party or parties interested, shall be entitled to interest at the rate of six per cent: per annum, until payment shall be made; but, if the party shall refuse to receive payment in Treasury notes of the Confederate States, or in current notes of this State, then he shall not be entitled to interest. The Governor is hereby authorized to employ counsel for the State in all cases arising under this ordinance, and for their compensation, to draw upon the Treasurer for its payment, and also for any expenses the State may incur by the enforcement of this ordinance.

*And be it further ordained,* That that this ordinance shall be in force during the present war only, and until all seizures and purchases made under it shall be disposed of, as before indicated, and may be repealed or modified by the General Assembly."

And then, on motion, the Convention adjourned.

IN CONVENTION, THURSDAY, November 28, 1861.

The President took the Chair and called the Convention to order.

The journal of yesterday was read and approved.

The President announced the following as the committee on the subject of enslaving free negroes: Messrs. Williams, Moody, Foy, Hargrove and Shipp.

Mr. Mebane presented a petition from sundry citizens of Alamance County, in regard to the Stay Law, which, on his motion, was referred to the committee on that subject.

Messrs. Schenck and Setzer presented petitions from Gaston and Catawba counties on the same subject, which were similarly referred.

Mr. Armfield presented a petition from citizens of Surry, Wilkes and Yadkin counties on the subject of a tax on distilleries, which, on his motion, was referred to a select committee.

Mr. Miller presented a petition from certain citizens of Cleveland County, asking an amendment to the Constitution so as to provide for the election of Justices of the Peace by the qualified voters of the State, which was, on motion, referred to the committee on Justices of the Peace.

Mr. Gorrell presented the proceedings of a meeting held in Greensboro' in regard to a Railroad connection between Greensboro' and Danville, which, on his motion, was referred to the committee on military affairs.

Mr. Satterthwaite, from the committee to whom was referred a resolution relating to the assumption by the State of the Confederate tax, reported a resolution on that subject, which lies over one day.

Mr. McDowell, of Madison, presented a petition from two free persons of color of Madison County, praying that they may become the slaves of Smith Atkin, which, on his motion, was referred to the committee on that subject.

Mr. Biggs offered the following resolution, which lies over one day:

*Resolved*, That the committee on Military Affairs inquire into the necessity and propriety of providing for volunteers mustered into the service of the Confederate States for twelve months, for local defence, the same bounty, clothing, equipments, &c., as troops mustered into the service of the State and transferred to the Confederate States, and that they report by resolution, ordinance or otherwise, as soon as practicable.

Mr. Kittrell offered the following, which, the rules having been suspended, on motion, was agreed to.

*Resolved*, That the committee on Military Affairs be requested to ascertain and report to this Convention, the oaths and forms thereof required by law to be taken by the officers and soldiers enlisted in the Confederate army from the State of North Carolina.

Mr. Pettigrew, from the committee to which was referred a resolution in relation to the suffrage of foreigners, reported the same back, and asked to be discharged from its further consideration, on the ground that, in the opinion of the committee, it was more properly referable to the Legislative committee—lies over one day.

Mr. Thomas, of Jackson, introduced an ordinance concerning slaves, which passed its first reading, and was ordered to be printed.

Mr. Green offered the following, which lies over one day :

*Resolved*, That this Convention ought to elect a Governor to fill the unexpired term of His Excellency, John W. Ellis, deceased.

Mr. Battle, of Wake, introduced an ordinance to establish the office of Lieutenant Governor, which passed the first reading, and was ordered to be printed.

Mr. Graham offered the following:

*Resolved*, That the Legislative committee be instructed to inquire into the expediency of so amending the Constitution as to declare that no law shall be passed, to impair the obligation of contracts, and every law whose effect is to hinder and delay the fulfillment of contracts, is considered as impairing the obligation of the same.

*Resolved*, That said committee be further instructed to inquire into the expediency of defining the term of service of the General Assembly, in each successive Legislature.

On his motion the rules were suspended and the said resolutions were agreed to.

Mr. Meares offered the following, which, the rules being suspended, was agreed to :

*Resolved*, That the committee on military affairs be instructed to inquire into the propriety of paying the bounty for enlistments to the men belonging to Capt. J. M. Stevenson's company of artillery, and to other companies, and that said committee report to this Convention by ordinance, resolution, or otherwise.

On motion of Mr. Graham, the ordinance concerning oaths was taken up and made the special order for Monday, 12 o'clock.

The special order was then taken up, and on motion of Mr. Ruffin, was postponed until to-morrow at 11 o'clock.

The unfinished business of yesterday was now considered by the Convention, when,

Mr. Battle, of Wake, offered to amend as follows : Add to the 1st section, " Provided that the defendant may, on oath, give evidence in his defense," which was not agreed to.

Mr. Lyon moved to amend by adding to line 30, the words, " And all moneys arising from fines under this ordinance shall be applied by the several County Courts, where the same may be, to the support of indigent families of volunteers and State troops, in the service of this State or the Confederate States : " which was agreed to.

Mr. Schenck offered the following amendment, which was agreed to : After the word " foretaller," in the 20th line; insert, " Provided that upon sufficient cause being shown, upon affidavit, the Court shall have power to order the taking of depositions to be read on behalf of the accused, upon such terms as the Court may decree, on the trial of cases arising under this ordinance.

Mr. Berry moved to insert, after the word " whatsoever," in the 7th line, the words, " and also, leather," which was agreed to.

Mr. Rayner moved to amend by inserting, after the word " own," in the 10th line, the words, " use or," which was agreed to.

The second section having been read,

Mr. Barnes moved to amend the same by striking out all between the word "nature," in the 14th line, and "and," in the 16th line, which was not agreed to.

Mr. Howard moved to amend as follows: Strike out all after the word "ordinance," in the 31st line, and insert, "appeals shall be allowed as in ordinary cases," which was agreed to.

Mr. Battle, of Wake, now moved to strike out the whole of the second section, and it was agreed to.

Mr. Setzer moved that the whole subject lie on the table, on which the ayes and noes were ordered, on his motion, and resulted in the negative—ayes 15, noes 83, as follows:

AYES—Messrs. Carson, Green, Headen, Johnston, Jones of Rowan, Manning, McDowell of Burke, Mebane, Miller, Patterson, Phifer, Schenck, Setzer, Shipp and Whitford—15.

NOES—Messrs. Allison, Armfield, Arrington, Atkinson, Badger, Barnes, Batchelor, Battle of Edgecombe, Battle of Wake, Berry, Biggs, Bond, Brodnax, Brown, Bryson, Bunting, Caldwell of Rowan, Calloway, Cannon, Cunningham, Darden, Dick, Dickson, Dillard, Douthitt, Durham, Edwards, Eller, Ellison, Ferebee, Foster of Ashe, Foy, Fuller, Gorrell, Graham, Greenlee, Hargrove, Hearne, Hicks, Holden, Holmes, Houston, Howard, Jones of Caldwell, Joyce, Kelly, Kittrell, Leak of Anson, Leak of Richmond, Long, Lyon, Mann, McDowell of Madison, Meares, Merritt, Moody, Moseley, Myers, Penland, Pettigrew, Rayner, Rhodes, Royster, Ruffin, Sanders, Smith of Halifax, Smith of Johnston, Smith of Macon, Speed, Sprouse, Strange, Sutherland, Thomas of Carteret, Thomas of Jackson, Thompson, Thornton, Turner, Walton, Ward, Warren, Williamson, Wilson and Woodfin—83.

The remaining sections were read, and then the question recurred on the amendment offered, on yesterday, by Mr. Leak, of Richmond, and the same was not agreed to.

To give an opportunity for the taking of the ayes and noes, Mr. Ruffin moved a re-consideration of the vote just taken, and the motion did not prevail.

Mr. Leak, of Richmond, moved to amend the ordinance as follows:

*"Be it further ordained,* That every distiller in this State shall pay a tax of twenty-five cents on every bushel of corn, wheat, or rye, which he shall distill, other than for his own use, after the 1st day of December, 1861, until the end of the war.

*"Be it further ordained,* That every distiller, at the time of listing his taxables, in the several counties of this State, shall list, on oath, with the magistrate appointed to take the list of taxables in his district, the number of bushels of corn, wheat or rye he has distilled since the first of December, previous to the time of making said enlistment, and on failure to do so, shall be subject to all the pains and penalties, which persons are subject to for refusing to list other subjects of taxation," which was not agreed to.

Mr. Wilson moved to strike out the third section, on which the ayes and noes were ordered, on motion of Mr. Dick.

Before the vote was taken, Mr. Schenck moved an adjournment, which was not agreed to.

Mr. Barnes now moved to amend as follows: After the word "seized," in the 15th line, insert "and also determine whether the articles seized were necessary for the use of the owner, his family, or his dependents, or the use of the sick or disabled, or poor or necessitous persons, or for other charitable uses."

Pending the consideration of the questions before the Convention,

The President announced as the committee on distilleries: Messrs. Armfield, Washington, Spruill of Bertie, Berry and Durham.

Mr. Wilson was added to the committee on Justices of the Peace.

And then on motion of Mr. Ferebee, the Convention adjourned.

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IN CONVENTION, FRIDAY, November 29, 1861.

The President took the Chair and called the Convention to order.

The Journal of yesterday was read and approved.



John B. Jones, Delegate elect from the County of Currituck, to fill the vacancy occasioned by the resignation of Mr. Shaw, appeared, produced his credentials and took his seat.

Mr. Thompson introduced an ordinance accompanied with a petition, to allow Duncan Artis, a free negro, to enslave himself, which passed its first reading.

On motion of Mr. Ferebee, the resolutions on the subject of foreigners, reported back to the Convention yesterday by Mr. Pettigrew, were referred to the Legislative Committee.

Mr. Thomas, of Carteret, offered the following resolution, which lies over one day :

WHEREAS, We, the Delegates of the people of North Carolina, in Convention assembled, did lately adopt unanimously a series of resolutions expressing, among other things, undiminished confidence in the justice of the cause for which we have taken up arms, our sense of the duty of the people of these States to maintain and uphold that cause, and a determination to shrink not from the performance of our whole duty in the achievement of the independence we have asserted, and to accept no alternative therefor: *And whereas*, unanimity and harmony are necessary, and whatever would impair these among those who would in good faith, keep, stand to, abide by, and perform those resolutions, should be discountenanced, therefore,

*Resolved*, That we, the delegates aforesaid, will discountenance all party spirit which may have been excited by former differences of principles, measures or conduct of parties as designated prior to our act of separation from the Government of the United States; and during the war in which we are engaged we would condemn all mere party management, political proscription and favoritism; as well, also, the selecting and appointing men to office or places of trust and profit, either civil or military, within this State, or the Confederate States, because of their resistance to the old government earlier than our unanimous act of separation, referred to.

*Resolved*, That the military should be forever kept and held in strict subordination to, and governed by, the civil authority, and while a conflict of these should be deprecated and avoided,

any interference with the persons or property by the former, except in obedience to the latter, or in cases where the public safety demands, and the civil authority cannot be invoked or had, should subject the person or persons, so exercising it, to the reprehension and censure of the people, and to disqualification for posts of military distinction, and to removal therefrom by the civil power.

On motion of Mr. Ellison, leave of absence was granted to Mr. Smith, of Halifax, for three days, from and after to-day.

Mr. Ruffin offered the following: *Resolved*, That the State Librarian transmit to the Department of Justice of the Confederate States of America, one set of the Reports of the Supreme Court of this State, if the same be in the public library, or that he purchase such as may be deficient, for that purpose.

On his motion, the rules were suspended and the resolution was agreed to.

Mr. Battle, of Wake, offered the following, which lies over:

*Resolved*, That the committee on Military Affairs be instructed to consider the propriety of adopting some means to induce the twelve months volunteers in the service of the Confederate States, from North Carolina, to enlist for the war.

The resolution heretofore introduced by Mr. Sanders, relating to the daily sessions of the Convention, was then taken up for consideration.

Mr. Smith, of Halifax, moved to amend, so that the Convention shall re-assemble at three o'clock and adjourn at five.

Mr. Graham moved to postpone the further consideration of the subject until next Friday, on which the ayes and noes were ordered, on motion of Mr. Biggs, and resulted in the affirmative, ayes 53, noes 44, as follows:

AYES—Messrs. Allison, Armfield, Arrington, Atkinson, Battle of Edgecombe, Battle of Wake, Berry, Bond, Bryson, Caldwell of Rowan, Cannon, Christian, Dick, Douthitt, Eller, Ferebee, Foster of Randolph, Foy, Gilmer, Graham, Headen, Hearne, Holden, Jones of Caldwell, Jones of Rowan, Joyce, Kelly, Kittrell, Leak of Anson, Long, Mann, Manning, Meares,

Mebane, Merritt, Myers, Pettigrew, Ruffin, Satterthwaite, Schenck, Shipp, Smith of Macon, Speed, Sprouse, Spruill of Tyrrell, Thomas of Carteret, Turner, Walton, Warren, Washington, Whitford, Wilson and Woodfin—53.

NOES—Messrs. Barnes, Biggs, Brodnax, Brown, Bunting, Calloway, Carson, Cunningham, Darden, Dickson, Dillard, Durham, Ellison, Foster of Ashe, Greenlee, Hargrove, Hicks, Holmes, Johnston, Jones of Currituck, Leak of Richmond, Lyon, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, McNeill of Harnett, Miller, Mitchell, Moody, Moseley, Penland, Reid, Rhodes, Royster, Sanders, Setzer, Smith of Halifax, Smith of Johnston, Strong, Sutherland, Thompson, Thornton, Ward and Williamson—44.

The resolution of Mr. Warren, heretofore introduced, asking certain information of the Adjutant General, was then taken up and agreed to.

The special order of the day, being the ordinance in regard to Revenue, was then taken up.

Mr. Woodfin moved to postpone the special order, to take up and consider the ordinance in regard to a supply of salt, which was not agreed to.

The ordinance in regard to Revenue was then read by sections, for amendment.

The third section being read,

Mr. Thompson moved to amend by striking out all between the words "rate," in the fourth line, and "for," in the 5th line, and insert, "six per cent. per annum," which was agreed to.

The remaining sections having been read,

Mr. Satterthwaite moved to add, as section 13, the following :

That interest accruing on the notes which, from time to time, may be issued in pursuance of the provisions of this ordinance, shall be exempt from taxation.

After some discussion thereon, the amendment was withdrawn.

Mr. Biggs moved to amend by adding the following, as section 13 :

*Be it further ordained,* That the Treasurer shall keep and furnish to the Comptroller, an accurate account of the Treasury

notes issued or to be issued by him, under the Act of the General Assembly, and the ordinance heretofore passed and not annulled, and the Comptroller shall also keep an accurate account of all such notes in the same manner as is required herein in relation to the Treasury notes authorized to be issued by this ordinance ;

And the amendment was agreed to.

Mr. Armfield moved an amendment to the third section, as follows: Strike out of the third line, all after "1865," down to "dollars," in the sixth line, and insert, "without interest," which was not agreed to.

The question was then taken on the adoption of the substitute recommended by the committee, as thus amended, and decided in the affirmative.

And then the ordinance, as amended, passed the second reading.

On motion of Mr. Satterthwaite, the rules were suspended, and the ordinance passed the third reading, and was ordered to be enrolled.

And then, on motion, the Convention adjourned.

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IN CONVENTION, SATURDAY, November 30, 1861.

The President took the Chair and called the Convention to order. Prayer by Rev. Henry Hardie, of the Presbyterian Church.

The journal of yesterday was read and approved.

On motion of Mr. Holden, leave of absence until Wednesday next was granted to Mr. Meares.

Mr. McNeill, of Cumberland, presented a petition from sundry citizens of Cumberland County, praying the intervention of the Convention to protect the people against speculators, monopolists and whiskey distillers, which, on his motion, was referred to the committee on distillation.

Mr. Arrington presented a similar petition from citizens of Nash County, which was referred to the same committee.

Mr. Battle, of Wake, in behalf of Mr. Manning, Chairman, from the committee on the Coalfields connection, to whom was referred an ordinance to provide for an exchange of Treasury notes, reported a substitute therefor, and recommended its passage. Lies over one day under the rules.

Mr. Biggs offered the following :

*Resolved*, That the Secretary of State furnish to each member of this Convention one copy of the Acts of the General Assembly, passed at the last regular and extra sessions thereof: *Provided*, That a sufficient number thereof has been printed.

On his motion, the rules were suspended and the resolution was agreed to.

Mr. Holmes offered the following, which lies over one day :

*Resolved*, That the Board of Claims be instructed to report to the Convention, the claims of the Wilmington and Manchester, and the Western North Carolina Railroad Companies, as heretofore by them allowed and reported to the General Assembly.

Mr. Howard, from the committee on military affairs, to whom was referred an ordinance concerning the appointment and commissioning of militia officers, reported the same back to the Convention with a substitute therefor, and recommended its passage. Lies over one day for consideration.

Also, adversely on the resolution relating to exemptions from military duty ; which also lies over one day.

Mr. Armfield moved to reconsider the vote of yesterday by which the Convention agreed to the ordinance relating to Treasury notes, on which the ayes and noes were ordered, on motion of Mr. Armfield, and resulted in the negative, ayes 28, noes 57, as follows :

**AYES**—Messrs. Armfield, Arrington, Berry, Bond, Bryson, Cannon, Christian, Douthitt, Durham, Eller, Ferebee, Gilmer, Graham, Joyce, Kittrell, Leak of Anson, Mann, McNeill of Cumberland, Mebane, Myers, Sanders, Smith of Johnston, Speed, Sprouse, Thornton, Turner, Warren and Wilson—28.

**NOES**—Messrs. Allison, Atkinson, Badger, Battle of Wake, Biggs, Brodnax, Brown, Caldwell of Rowan, Calloway, Carson, Cunningham, Dickson, Dillard, Edwards, Ellison, Foster of

Ashe, Foy, Greenlee, Hearne, Hicks, Holden, Holmes, Houston, Howard, Johnston, Jones of Caldwell, Jones of Currituck, Jones of Rowan, Kelly, Leak of Richmond, McDowell of Burke, McDowell of Madison, McNeill of Harnett, Merritt, Miller, Mitchell, Moseley, Osborne, Penland, Pettigrew, Rayner, Reid, Rhodes, Royster, Ruffin, Satterthwaite, Schenck, Setzer, Smith of Macon, Spruill of Tyrrell, Strong, Sutherland, Thomas of Carteret, Thompson, Walton, Woodfin and Wooten—57.

The President laid before the Convention a letter from Walter L. Steele, Secretary, asking leave of absence for an indefinite time.

On motion of Mr. Ruffin, the request was granted.

Mr. Schenck offered the following:

*Resolved*, That a committee be appointed to inquire into the condition of the sick soldiers in the vicinity of this city, and that they report whether any other provision is necessary to be made for their comfort and recovery.

On motion, the rules were suspended and the resolution put upon its passage.

Mr. Speed moved to amend as follows: "And also inquire into the expediency and propriety of establishing hospitals at Raleigh, Wilmington, Edenton, Newberne and Elizabeth City, with post surgeons for the treatment of sick soldiers of North Carolina."

Mr. Schenck accepted the amendment, and the resolution was agreed to.

The President appointed Messrs. Schenck, Reid, Speed, McNeill of Harnett, and Bond, to constitute the committee.

Mr. Smith, of Johnston, introduced an ordinance to insure a supply of corn, by a tax on distilleries, which passed its first reading and lies over.

Mr. Rayner presented a petition from citizens of Hertford County in relation to speculations upon the necessities of the people, which, on his motion, was ordered to lie on the table.

Mr. Rayner also offered the following:

*Resolved*, That the committee of finance be instructed to inquire into the expediency of repealing and abrogating that

provision of an Act passed at the late extra session of the General Assembly, entitled "Revenue," the 4th section of which exempts from taxation the property of all persons worth less than five hundred dollars, and which further exempts from taxation five hundred dollars worth of property of every person worth more than said sum of five hundred dollars.

On his motion the rules were suspended, and the Convention proceeded to the consideration of the resolution:

Mr. Satterthwaite moved to amend as follows: "And said committee also inquire and report upon the question of slave taxation, as imposed by the last Legislature," which was agreed to.

Mr. Woodfin moved to strike out the words, "of finance," and insert, "on the immediate wants of the Treasury," which was not agreed to.

The resolution was then adopted.

Mr. Joyce introduced an ordinance authorizing the Governor to transfer certain companies at High Point to Col. Green's regiment, which passed its first reading.

On motion, the rules were suspended, the ordinance passed the second and third readings, and was ordered to be enrolled.

He also introduced an ordinance proposing to amend the militia law, which passed its first reading, and was referred to the committee on Military Affairs.

The unfinished business last before the Convention, being the ordinance in regard to speculation, &c., was then taken up, the pending question being on the amendment offered by Mr. Barnes, and the amendment was agreed to by the Convention.

Mr. Washington moved to amend by inserting after the word "attorney," the words, "and they shall choose a third person," which was agreed to. Also, in the 6th line, after the word "seals," strike out the words, "and in case of difference they shall choose an umpire," and it was agreed to.

Mr. Ruffin moved to insert after the word — in the 16th line, the words, "or any two of them," which was agreed to. Also, in 19th line, strike out the words, "in like manner," which was also agreed to. Also, in — line, strike out the words, "who shall also make and certify," and it was agreed to.

The question was then put on the pending motion of Mr. Wilson to strike out the 3rd section, on which the ayes and noes were ordered, on motion of Mr. Dick, and resulted in the affirmative, ayes 43, noes 40, as follows:

AYES—Messrs. Allison, Armfield, Battle of Wake, Berry, Brown, Bryson, Calloway, Cannon, Carson, Cunningham, Dillard, Douthitt, Durham, Eller, Ellison, Ferebee, Foster of Ashe, Graham, Greenlee, Hearne, Houston, Johnston, Jones of Caldwell, Jones of Currituck, Jones of Rowan, Joyce, Lyon, Mann, McDowell of Burke, Mebane, Mitchell, Penland, Royster, Sanders, Schenck, Shipp, Speed, Sprouse, Sutherland, Thomas of Carteret, Walton, Warren and Wilson—43.

NOES—Messrs. Arrington, Atkinson, Badger, Biggs, Brodnax, Christian, Dickson, Edwards, Foy, Gilmer, Hicks, Holden, Holmes, Howard, Kelly, Kittrell, Leak of Anson, Leak of Richmond, McNeill of Cumberland, McNeill of Harnett, Merritt, Miller, Moseley, Osborne, Pettigrew, Rayner, Reid, Rhodes, Ruffin, Smith of Johnston, Smith of Macon, Spruill of Tyrrell, Strong, Thompson, Thornton, Turner, Washington, Woodfin and Wooten—40.

Mr. Washington moved to insert in section 1, after the word "grain," the words, "hogs or horned cattle," which was not agreed to.

On motion of Mr. Badger, the further consideration of the subject was postponed until Monday, and the ordinance ordered to be printed.

The ordinance on the subject of a supply of salt, was then taken up, for consideration on the second reading, and read by sections for amendment.

Mr. Biggs moved to amend by inserting after the word, "county," in the 6th line of the 1st section, the words, "or some navigable waters," which was agreed to.

Mr. Leak, of Richmond, moved to strike out the word, "commissioner," and insert the words, "three commissioners," which was not agreed to.

Mr. Ruffin moved to strike out the words, "on the seacoast," and it was agreed to.



He also moved to strike out the words, "this Convention," and insert the words, "the Governor of the State," which was not agreed to.

Mr. Christian moved that the Convention adjourn, which was not agreed to.

Mr. Biggs moved to amend the third section, by inserting, after the word "State," in the 5th line, the words, "or on some navigable waters," which was agreed to.

Mr. Sanders moved to amend the 4th section, by inserting after the words, "Justices of the Peace," the words, "a majority being present," and it was agreed to.

Mr. Washington offered the following as an additional section :

*Be it further ordained,* That said commissioner shall have power to examine west of the city of Raleigh, by boring, such section or sections of country as there may seem to be indications of salt formations ; but that no such examinations shall be made until an agreement shall have been entered into for the conveyance of so much of said land as shall be necessary for conducting and carrying on salt works, with the privilege of ingress, egress and regress ; and it was not agreed to.

Mr. Biggs moved to strike out of the 8th section, the words, "every three months," and insert the word "monthly," which was agreed to.

Also, after the word "lay," in the 4th line, insert the words, "and publish," and it was agreed to.

Mr. Mitchell moved to strike out all before the word "*etc.*," in the third line, and insert, "it shall be the duty of said Commissioner, on the first Monday of each month, to report to the Governor the quantity of salt manufactured during the month preceding, and the disposition made of all the salt manufactured, the cost, &c., of production and transportation, and the income to the State on the salt made and sold," which was agreed to.

Mr. Wilson moved to adjourn, which was not agreed to.

After some further discussion of the ordinance,

Mr. Gilmer moved to adjourn, and it was not agreed to.

Mr. Woodfin moved to amend as follows :

"SEC. 9. *Be it further ordained*, That the Commissioner shall, before entering on the duties of his office, take an oath of office, and enter into bonds in the sum of one hundred thousand dollars, payable to the State, with security to be approved by the Governor, and he shall take bond and ample security from every agent appointed by him, whose duties shall require him to receive and pay out money, and that all such bonds shall be payable to the State of North Carolina.

"SEC. 10. *Be it further ordained*, That the Commissioner shall receive an annual salary of two thousand dollars, and his travelling expenses."

Mr. Kittrell moved to adjourn, which was not agreed to.

Mr. Foster, of Randolph, moved to strike out "two thousand," in the last section, and insert, "fifteen hundred," which was agreed to.

The amendment as amended was then adopted.

On motion of Mr. Rayner, the Convention adjourned.

[NOTE.—The journal for the remainder of the second session of the Convention, was kept by James H. Moore, Secretary *pro tem.*, in the absence of the Principal Secretary.]

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### IN CONVENTION, MONDAY, December 2, 1861.

The President called the Convention to order pursuant to adjournment. Prayer by Rev. J. M. Atkinson, of the Presbyterian Church.

The journal of Saturday was read and approved.

Mr. Foster, of Randolph, presented two petitions from citizens of Randolph County, praying a repeal of the Stay Law, which being read, was referred to the committee on that subject.

Mr. Houston presented a petition from citizens of Union County, asking a repeal of the Stay Law, and a remedy against the exorbitant speculations in salt. Read and referred to the committee on the Stay Law.

Mr. Leak, of Richmond, presented a petition from citizens of his county, against extortionate prices in the necessities of life, and the distillation of corn and other grain into whiskey, which was read and referred to the committee on the Stay Law.

Mr. McNeill, of Cumberland, by consent, presented a letter from D. W. Robinson, Esq., stating that Hon. Warren Winslow was detained from the Convention by ill health.

Mr. Schenck, from the select committee on the subject of sick soldiers in the vicinity of Raleigh, reported that the committee had ascertained that the Surgeon General had taken steps to make ample provision for sick soldiers near this city, and that no action by the Convention is necessary on the subject. Lies over one day.

Mr. Speed, from the select committee on the subject of Hospitals, reported an ordinance for the erection of a hospital at Elizabeth City, which was read, and lies over under the rules.

Mr. Holden offered a resolution to raise a committee of inquiry on the subject of the manufacture of Oil Cloth. Lies over under the rule.

Mr. Kittrell introduced a resolution to send a Commissioner to the coast, to gather and report information in regard to the manufacture of salt in the State, and moved to suspend the rules and put the resolution on its passage. The motion was not agreed to, and the resolution takes the usual course.

By Mr. Setzer, a resolution of inquiry in regard to a distribution of the acts of the General Assembly. Lies over under the rule.

Mr. Biggs moved to take up the unfinished business of Saturday, being the ordinance on the subject of the manufacture of salt, and the motion prevailed.

The ordinance was then taken up, the question being on its passage upon the second reading.

The question being put, the ordinance passed its second reading.

Mr. Woodfin moved to put it on the third reading. The motion prevailed, and the ordinance was read the third time.

Mr. McNeill, of Cumberland, moved to amend the 1st section by striking out of the second line the words, "this Convention," and inserting the word "Governor," and it was not agreed to.

Mr. Mitchell offered the following amendment as an additional section :

*"Be it further ordained, That the price per bushel to the purchaser of salt, made in pursuance of the provisions of this ordinance, shall be determined by ascertaining, as nearly as possible, the immediate cost of its production, the incidental expenditures of its manufacture, as well as the expense of transportation to all the depositories of distribution that shall be selected, so that the charge of production shall fall equally upon every bushel sold, without regard to a difference there may be in the cost of transportation to depositories at unequal distances; and so that the price per bushel to every purchaser from the State shall be the same."*

This amendment was not agreed to.

Mr. Leak, of Richmond, moved to amend by striking out all after the word "Act," in the 7th section, 2d line, and inserting the words, "or shall prove faithless to the trust reposed in him, the Convention not being then in session, the Governor shall supply the vacancy created in any of the aforementioned means," and the amendment was agreed to.

Mr. Battle, of Wake, moved to amend section 10, by striking out the words "\$1500," in order to insert a different sum; and it was not agreed to, ayes 34, noes 44, by count.

Mr. Graham offered a substitute, proposing that the State shall pay a *bonus* to producers of salt in the State, under certain regulations.

Pending the consideration thereof,

A communication was received from His Excellency, the Governor, transmitting a communication from Prof. Emmons, State Geologist, on the manufacture of Salt from sea-water, which was read.

The question was then put on the substitute offered by Mr. Graham, and it was not adopted.

Mr. Thomas, of Carteret, moved an adjournment, and the motion was not agreed to.

Mr. Bond moved to amend the 1st section of the ordinance, by striking out all after the word, "county," in the 5th line, and inserting the following: "at the salt works, on the payment of the cost of manufacturing, which price shall be paid on the delivery of the salt," and the amendment was not agreed to.

Mr. Gilmer moved an adjournment, and the motion did not prevail.

The question recurred on the final passage of the ordinance, on which the yeas and nays were ordered, and resulted, yeas 64, nays 18, as follows:

YEAS—Messrs. Armfield, Arrington, Atkinson, Battle of Wake, Biggs, Brodnax, Brown, Bryson, Carson, Christian, Cunningham, Darden, Dick, Dickson, Dillard, Douthitt, Durham, Edwards, Eller, Foster of Ashe, Foster of Randolph, Foy, Gilmer, Gorrell, Hamlin, Headen, Hearne, Hicks, Holden, Holmes, Houston, Johnston, Jones of Currituck, Jones of Rowan, Joyce, Kelly, Kittrell, Leak of Anson, Leak of Richmond, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, McNeill of Harnett, Miller, Moseley, Osborne, Penland, Phifer, Reid, Rhodes, Schenck, Setzer, Shipp, Smith of Johnston, Smith of Macon, Spruill of Bertie, Sutherland, Thomas of Carteret, Thomas of Jackson, Thornton, Turner, Williams, Woodfin and Wooten—64.

NAYS—Messrs. Allison, Bond, Calloway, Cannon, Ellison, Ferebec, Graham, Jones of Caldwell, Mann, Mitchell, Pettigrew, Rayner, Ruffin, Satterthwaite, Speed, Sprouse, Walton and Warren—18.

On motion of Mr. Speed, Mr. Walton obtained leave of absence from the Convention for an indefinite period.

Mr. Schenck moved to reconsider the vote by which the ordinance providing for the manufacture of salt passed the third reading, and the motion was not agreed to.

On motion of Mr. Gorrell, the Convention adjourned till 10 o'clock to-morrow morning.

IN CONVENTION, TUESDAY, December 3, 1861.

The President called the Convention to order pursuant to adjournment. Prayer by Rev. Mr. Broadus, of the Baptist Church.

The journal of yesterday was read and approved.

Mr. Warren presented a petition from citizens of Beaufort County, praying redress of certain grievances, which was read, and, on motion of Mr. Warren, referred to a select committee.

Mr. Ruffin, from the select committee on the present wants of the Treasury, reported an ordinance to increase the clerical force of the Treasury Department, which passed the first reading and was ordered to be printed.

Mr. Sutherland introduced the following resolution, which lies over one day under the rule.

*Resolved*, That the Military Committee be instructed to inquire into the propriety of the State's making an appropriation for the construction of the most improved kind of arms, for arming the militia of the State; and that they report by ordinance or otherwise.

Mr. Osborne, from the committee on military affairs, reported an ordinance for the construction of a railroad from Greensboro' on the North Carolina Railroad, to Danville, in Virginia, which was ordered to be printed and made the special order for Monday next at 12 o'clock.

Mr. Battle, of Wake, introduced a resolution requiring the Secretary of State to furnish, for the use of the Convention, one copy of Cooke's map and one of Pearce's map of North Carolina; which lies over under the rule.

Mr. Calloway introduced an ordinance to repeal the 4th section of an Act of the late extra session of the General Assembly, entitled "Revenue," which passed the first reading, and was referred to the committee on Finance.

Mr. Calloway also introduced a resolution of inquiry in regard to an amendment to the Constitution, which lies over one day, under the rule.

Mr. Thomas, of Jackson, introduced an ordinance to equalize taxation; and an ordinance to provide a permanent school fund and to equalize its distribution among the scholars; which were severally read, and lie over for consideration.

The following resolutions, *etc.*, heretofore introduced, were taken up and disposed of as indicated:

A resolution of inquiry in relation to twelve months volunteers—read and adopted.

A resolution of thanks to the officers and soldiers captured at Fort Hatteras—read and unanimously adopted.

A resolution of inquiry concerning volunteer troops called into service for local defense—read and agreed to.

An ordinance to provide for the office of Lieutenant-Governor,—read the second time and referred to the committee on the Executive Department.

An ordinance concerning the emancipation of slaves—read the second time.

Mr. Thomas, of Jackson, moved to lay the ordinance on the table, and the motion prevailed.

On motion of Mr. Biggs, the special order of the day, being the ordinance to suppress speculation, was taken up, and passed over informally for the present.

On motion of Mr. Smith, of Johnston, the ordinance to prevent the distillation of grain, was referred to the committee on Distilleries.

The ordinance to define and punish sedition was taken up on its second reading and discussed. Pending its consideration,

On motion of Mr. Speed, the Convention adjourned to ten o'clock to-morrow morning.

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IN CONVENTION, WEDNESDAY, December 4, 1861.

The President called the Convention to order pursuant to adjournment. Prayer by Rev. Mr. Broadnus, of the Baptist Church.

The journal of yesterday was read and approved.

The President laid before the Convention a majority and a minority report from the Board of Claims.

Mr. Ruffin moved that the reports be printed and referred to the committee of finance, with instructions to inquire as to the expediency of continuing the Board of Claims beyond the 15th of the present month, and that they report by ordinance or otherwise: and the motion was agreed to.

On motion of Mr. Reid, Mr. Biggs was granted leave of absence for one week, from and after to-day.

Mr. Woodfin moved to go forthwith into the election of a Commissioner to superintend the manufacture of salt, and the motion prevailed, ayes 52, noes 24.

Mr. Woodfin then nominated, for Commissioner, Phil. B. Hawkins, Esq., of Franklin County.

Mr. Pettigrew nominated Edward Wood, Esq., of Edenton.

Mr. Christian nominated John M. Worth, Esq., of Randolph.

Mr. Ellison nominated E. W. Bagley, Esq., of Martin.

Mr. Thomas, of Carteret, nominated Benjamin L. Perry, Esq., of Carteret.

The Convention then proceeded to vote *viva voce*, as follows:

FOR MR. HAWKINS:—Messrs. Arrington, Atkinson, Batchelor, Battle of Edgecombe, Brown, Bunting, Caldwell of Rowan, Darden, Durham, Edwards, Hicks, Holmes, Johnston, Kelly, Leak of Richmond, Lyon, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, Mebane, Osborne, Penland, Reid, Royster, Schenck, Strange, Thomas of Jackson, Thornton, Turner, Whitford, Williams, Williamson and Woodfin—33.

FOR MR. WORTH:—Messrs. Allison, Armfield, Battle of Wake, Calloway, Christian, Dick, Douthitt, Eller, Foster of Ashe, Foster of Randolph, Gilmer, Gorrell, Graham, Hamlin, Headen, Hearne, Houston, Jones of Rowan, Joyce, Kittrell, Leak of Anson, Long, Manning, McNeill of Harnett, Miller, Pinfer, Rhodes, Sanders, Setzer, Smith of Johnston, Spruill of Tyrrell, and Sutherland—32.

FOR MR. WOOD:—Messrs. Bond, Brodnax, Cannon, Carson, Dickson, Dillard, Ferebee, Jones of Currituck, Merritt, Pettigrew, Shipp, Spruill of Bertie, Warren and Wooten—14.



FOR MR. BAGLEY:—Messrs. Berry, Ellison, Jones of Caldwell, and Satterthwaite—4.

FOR MR. PERRY:—Messrs. Holden, Mann and Thomas of Carteret—3.

The whole number of votes cast was 86 : necessary to a choice.  
44. No one having received a majority, there was no election, and the Convention proceeded to vote a second time as follows, the names of Messrs. Bagley and Wood being withdrawn :

FOR MR. WORTH:—Messrs. Allison, Armfield, Badger, Battle of Wake, Berry, Bond, Brodnax, Bryson, Calloway, Cannon, Christian, Dick, Dickson, Douthitt, Eller, Ellison, Ferebee, Foster of Ashe, Foster of Randolph, Gilmer, Gorrell, Graham, Hamlin, Headen, Hearne, Holden, Houston, Jones of Caldwell, Jones of Rowan, Joyce, Kittrell, Leak of Anson, Leak of Richmond, Long, Mann, Manning, McNeill of Harnett, Merritt, Miller, Pettigrew, Phifer, Rhodes, Sanders, Satterthwaite, Setzer, Shipp, Smith of Johnston, Smith of Macon, Sprouse, Spruill of Bertie, Spruill of Tyrrell, Sutherland and Warren—53.

FOR MR. HAWKINS:—Messrs. Arrington, Atkinson, Bachelor, Battle of Edgecombe, Brown, Caldwell of Rowan, Carson, Darden, Dillard, Durham, Edwards, Hicks, Holmes, Johnston, Jones of Currituck, Kelly, Lyon, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, Mebane, Osborne, Penland, Rayner, Reid, Royster, Ruffin, Schenck, Strange, Thomas of Jackson, Thornton, Turner, Williams, Williamson, Woodfin and Wooten—36.

FOR MR. PERRY:—Messrs. Whitford and Thomas of Carteret—2.

The whole number of votes cast was 91, necessary to a choice  
46. Mr. Worth having received a majority, was declared to be elected.

The President announced Messrs. Warren, Moseley, Thomas of Carteret, Johnston and Bryson, as the select committee on the memorial of citizens of Beaufort.

Mr. McNeill, of Cumberland, introduced the following resolution, which had its first reading and was referred to the committee on the Coalfields Connection :

*Resolved*, That the committee on the Coalfields Connection be instructed to inquire into the expediency of modifying the Charter of the Western Railroad Company, as amended at the last regular session of the General Assembly, and report to this Convention by ordinance or otherwise.

Mr. Gorrell presented a memorial from citizens of Guilford County, asking a repeal of the Stay Law, which was read and referred to the committee on the Stay Law.

Mr. Ferebee introduced the following resolution, which was read, and lies over one day, under the rules :

*Resolved*, That this Convention will take a recess from and after Saturday, the 14th inst., until Monday, the 20th of January.

Mr. Calloway moved to take up the ordinance to repeal the 4th section of the Stay Law, introduced by him on yesterday, and refer the same to the committee of finance, and the motion was agreed to.

Also, to take up his resolution offered yesterday to amend the Constitution, and refer it to the committee on the Legislative department, and the motion prevailed.

Mr. Manning moved to make the ordinance providing for an exchange of bonds with the Coalfields Railroad Company the special order for Tuesday next, at 12 o'clock, M., and it was agreed to.

On motion of Mr. Sutherland, his resolution in regard to arming the militia, was taken up and referred to the committee on military affairs.

The President (Mr. Satterthwaite in the Chair) announced a communication from C. H. Brogden, Comptroller, asking an increase in the clerical force in his office, which was read, and, on motion of Mr. Badger, was referred to the committee on the Wants of the Treasury.

Mr. Ferebee moved that the Convention now adjourn until Friday morning, in order to give the use of the Hall to the Electoral College to-day, and to observe to-morrow as a day of thanksgiving, in pursuance of the President's proclamation. The motion prevailed, and the Convention adjourned to ten o'clock, Friday morning.

IN CONVENTION, FRIDAY, December 6, 1861.

The President called the Convention to order pursuant to adjournment. Prayer by Rev. Mr. Hardie, of the Presbyterian Church.

The journal of Wednesday was read and amended.

Mr. Arrington presented a petition from citizens of Nash County, in favor of the State's paying the Confederate tax; which was read and referred to the committee on that subject.

Mr. Johnston presented a petition from Mary Ann Rankin, a free woman of color, asking to be allowed to enslave herself and children; read and referred to the committee on free negroes.

Mr. Thomas, of Jackson, offered a resolution for the appointment of a committee to inquire into the expediency of completing the Western North Carolina Railroad; lies over one day under the rules.

By Mr. Armfield, a resolution instructing the Military Committee to inquire and report, in regard to the propriety of furnishing our soldiers with rations of spirits—lies over under the rules.

Mr. Warren presented a resolution in favor of Dr. William E. Pool; which being read, he moved to suspend the rules and put the resolution on its passage, and it was agreed to.

Mr. Rayner moved to refer the resolution to a select committee of three, and the motion prevailed.

Mr. Osborne, from the committee to whom was referred the resolution in regard to amending the Constitution, reported an ordinance defining the manner of amending the Constitution, which lies over one day under the rules.

Mr. Graham moved to rescind the order of the Convention for printing the report of the Board of Claims, and the motion was agreed to.

Mr. Fuller presented a petition from citizens of Robeson County, against distilleries and speculators, which was read and referred to the committee on Distilleries.

By Mr. Long, two petitions from citizens of Randolph in favor of a repeal of the Stay Law; read and referred to the committee on the Stay Law.

By Mr. Calloway, a resolution instructing the committee on the Executive Department to inquire into the expediency of amending the Constitution in regard to the election of Governor; which was read, and lies over one day.

Mr. Sutherland introduced an ordinance for the suppression of Distilleries; which was read and lies over one day, under the rules.

The following resolutions, *etc.*, heretofore introduced, having lain over under the rules, were taken up, read, and disposed of as indicated:

X A resolution requesting our Representatives in Congress to vote for an increase in the pay of soldiers.

Mr. Battle, of Wake, offered an amendment, which being modified, on motion of Mr. Rayner, was adopted, as follows:

X *Resolved*, That our Senators and Representatives in Congress be requested to vote for an increase of the pay of the common soldiers of the Confederate army, *Provided*, the source of the Confederate Treasury will justify it.

A resolution to elect a Governor to fill the vacancy occasioned by the death of Hon. John W. Ellis, was read, and on motion of Mr. Green, made the special order for Wednesday next at 11 o'clock.

The ordinance to allow Duncan Artis, free negro, to enslave himself, was read the second time and referred to the committee on free negroes.

The resolutions discountenancing party spirit during the war, and declaring the military subordinate to the civil authority, were read.

The question being on the adoption of the resolutions, the yeas and nays were ordered, on motion of Mr. Warren. Before the vote was taken,

Mr. Batchelor moved to strike out the second resolution, on which the yeas and nays were ordered, on motion of Mr. Warren, and resulted in the negative, yeas 10, nays 68, as follows:

YEAS—Messrs. Batchelor, Battle of Edgecombe, Bunting, Darden, Fuller, Holmes, McNeill of Cumberland, Rayner, Sutherland, Thornton and Wooten—10.

**NAYS**—Messrs. Armfield, Arrington, Battle of Wake, Berry, Bond, Brodnax, Bryson, Caldwell of Rowan, Calloway, Cannon, Christian, Dick, Dickson, Dillard, Edwards, Eller, Ellison, Ferebee, Foster of Ashe, Foster of Randolph, Gilmer, Gorrell, Graham, Green, Hamlin, Hicks, Holden, Houston, Johnston, Jones of Caldwell, Jones of Currituck, Jones of Rowan, Joyce, Kelly, Kittrell, Leak of Anson, Leak of Richmond, Long, Mann, Manning, McDowell of Burke, McNeill of Harnett, Meares, Merritt, Mitchell, Myers, Osborne, Patterson, Penland, Pettigrew, Phifer, Rhodes, Royster, Sanders, Satterthwaite, Setzer, Shipp, Smith of Halifax, Smith of Macon, Sprouse, Spruill of Bertie, Spruill of Tyrrell, Strange, Thomas of Carteret, Turner, Warren, Williamson, Wilson and Woodfin—68.

Mr. Badger moved to lay the resolutions on the table, on which the yeas and nays were ordered, on motion of Mr. Warren.

Mr. Graham called for the special orders of the day, the hour for the consideration thereof having arrived, and it was agreed to.

Mr. Ferebee moved to postpone the special order for the purpose of considering his resolution concerning a recess, and the motion prevailed.

The resolution being read,

Mr. Hicks moved to strike out "20th of January," in order to insert some other day. Not agreed to.

Mr. Woodfin moved to strike out, "Saturday, 14th," and insert "Friday, 13th," and the motion prevailed.

Mr. Thompson offered a substitute, proposing an adjournment on the 21st inst., to the close of the present war.

The President decided the substitute to be out of order.

From this decision Mr. Thompson appealed to the Convention, and the question being put, the decision of the Chair was sustained.

The question being on the adoption of the resolution as amended, the yeas and nays were ordered, on motion of Mr. Merritt, and resulted in the affirmative, yeas 53, nays 31, as follows:

**YEAS**—Messrs. Arrington, Badger, Batchelor, Battle of Edgecombe, Berry, Bond, Bunting, Cannon, Carson, Christian, Dick,

Dillard, Edwards, Eller, Ellison, Ferebee, Foster of Randolph, Fuller, Graham, Green, Hargrove, Hicks, Holden, Holmes, Houston, Johnston, Jones of Currituck, Kelly, Leak of Anson, Mann, McDowell of Burke, McNeill of Cumberland, Meares, Myers, Pettigrew, Rayner, Reid, Royster, Sanders, Satterthwaite, Setzer, Smith of Halifax, Sprouse, Spruill of Bertie, Spruill of Tyrrell, Strange, Sutherland, Thomas of Carteret, Thornton, Warren, Whitford, Woodfin and Wooten—53.

NAYS—Messrs. Armfield, Battle of Wake, Bryson, Caldwell of Rowan, Calloway, Darden, Dickson, Foster of Ashe, Gilmer, Gorrell, Hamlin, Headen, Jones of Rowan, Joyce, Kittrell, Leak of Richmond, Long, Manning, Merritt, Mitchell, Osborne, Patterson, Penland, Plifer, Rhodes, Shipp, Smith of Macon, Thomas of Jackson, Thompson, Williamson and Wilson—31.

Mr. Satterthwaite moved to reconsider the last vote, and the motion was not agreed to.

Mr. Satterthwaite moved to further postpone the special orders of the day, for the purpose of taking up and considering a resolution to send a Commissioner to Richmond to confer with the Confederate authorities in regard to the payment of the Confederate taxes by the State; and the motion prevailed.

The resolution was then read.

Mr. Ellison offered a substitute, requiring our Representatives in Congress to confer with the Confederate authorities, instead of sending a Commissioner, and it was not agreed to.

Mr. Satterthwaite then moved to fill the blank in the resolution with the name of D. D. Ferebee, Esq., and the motion prevailed.

The question was then on the adoption of the resolution, on which the yeas and nays were ordered, on motion of Mr. Ellison, and resulted in the affirmative, yeas 55, nays 22, as follows:

YEAS—Messrs. Arrington, Batchelor, Battle of Wake, Berry, Bond, Brodnax, Bryson, Bunting, Calloway, Cannon, Christian, Cunningham, Darden, Dick, Dickson, Dillard, Edwards, Eller, Foster of Ashe, Graham, Hargrove, Headen, Hicks, Holden, Holmes, Johnston, Jones of Currituck, Jones of Rowan, Kittrell, Leak of Anson, Leak of Richmond, Long, Mann, Meares,

Merritt, Mitchell, Osborne, Patterson, Pettigrew, Reid, Rhodes, Royster, Sanders, Satterthwaite, Setzer, Smith of Halifax, Smith of Macon, Speed, Sprouse, Spruill of Bertie, Spruill of Tyrrell, Thomas of Carteret, Thornton, Warren, Williamson and Wilson—55.

NAYS—Messrs. Armfield, Badger, Caldwell of Rowan, Ellison, Foster of Randolph, Gilmer, Gorrell, Hamlin, Houston, Joyce, Kelly, McDowell of Burke, McNeill of Cumberland, Penland, Rayner, Shipp, Strange, Thomas of Jackson, Thompson, Turner, Woodfin and Wooten—22.

The President announced an invitation from W. J. Palmer, Principal of the Asylum for the Deaf and Dumb and the Blind, to the Convention, to attend an exhibition at that institution to-night, at 7 o'clock, which was read at the Clerk's desk.

Mr. Battle, of Wake, moved the appointment of an additional member on the committee of enrollments.

The motion was agreed to, and the President appointed Mr. Pettigrew on said committee.

The President announced Messrs. Warren, Rayner and Meares, to constitute the select committee on the resolution in favor of Dr. William E. Pool.

On motion of Mr. Headen, the Convention adjourned to ten o'clock to-morrow morning.

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### IN CONVENTION, SATURDAY, December 7, 1861.

The President called the Convention to order pursuant to adjournment. Prayer by the Rev. Mr. Lansdale, of the Baptist Church.

The journal of yesterday was read and approved.

Mr. Mitchell presented the credentials of A. M. Bogle, delegate elect from Alexander county, to fill the vacancy caused by the death of A. C. Stewart, which were read, and Mr. Bogle took his seat in the Convention.

Mr. Shipp presented a memorial from citizens of Henderson county, praying a repeal of the Stay Law, which was read and referred to the committee on the Stay Law.

Mr. Battle, of Wake, from the committee on Enrollments, reported as correctly enrolled, the following ordinances and resolutions, and the same were ratified in open Convention by the signature of the President and attestation of the Secretaries, viz:

A resolution of thanks to the officers and soldiers for gallant conduct in defending Hatteras.

A resolution appointing Dennis D. Ferebee Commissioner to Richmond.

An ordinance to amend the second section of the fourth article of the amendments to the Constitution.

A resolution to transfer certain military companies to Col. W. J. Green.

An ordinance to provide for amending the forty-sixth section of the Constitution of this State in regard to taking the yeas and nays in either house of the General Assembly.

Resolutions of confidence in our cause of war, and in the President and army.

An ordinance concerning the repeal of the 14th chapter of the acts of the second extra session of 1861.

Resolution on taking a recess.

+ Resolution requesting our Senators and Representatives in Congress to vote for an increase of the pay of soldiers.

An Ordinance to transfer certain companies to Col. W. J. Green.

An Ordinance in regard to a supply of Salt.

Mr. Graham offered a resolution granting leave of absence to the Assistant Secretary of the Convention, for Monday and Tuesday next; which was adopted under a suspension of the rules.

Mr. Warren, from the select committee on the resolution in favor of Dr. Wm. E. Pool, reported back the resolution, recommending its passage; and the rules being suspended, the resolution passed its several readings and was ordered to be enrolled.

Mr. Gilmer introduced a resolution instructing the finance committee to inquire concerning the expediency of making some



disposition of the State's interest in the Cape Fear and Deep River Improvement; which was adopted under a suspension of the rules.

The following ordinances and resolutions, which have had their day under the rule, were taken up and disposed of as indicated :

A resolution concerning the manufacture of Oil Cloth, read and adopted, as follows :

*Resolved*, That a committee of three be appointed to inquire into the expediency of extending encouragement to the manufacture of Oil Cloth in this State, and that they report by ordinance or otherwise.

An ordinance for the suppression of distilleries, was read, and on motion of Mr. Satterthwaite, laid upon the table.

Mr. Calloway moved to take up his resolution respecting the office of Governor, and refer the same to the committee on the Executive Department, and it was agreed to.

The resolution to give soldiers rations of spirits, was read the second time.

Mr. Osborne moved to lay the resolution on the table, and it was not agreed to.

The question was then put on its passage, and it passed the second reading.

The resolution for appointing a committee of five to inquire concerning the public printing, and the distribution of the Acts of the General Assembly, was read the second time, and adopted, ayes 35, noes 28.

The resolution to send a Commissioner to the seacoast to gather information in regard to the manufacture of salt, was read, and, on motion of Mr. Kittrell, laid upon the table.

The resolution for the establishment of a hospital at Elizabeth City was read the second time.

Mr. Rayner offered an amendment, leaving the establishment of the hospital to the discretion of the Surgeon General, and the amendment was agreed to.

The special order of the day, being the ordinance to define and punish sedition, was taken up.

Mr. Graham moved its indefinite postponement.

Mr. Badger moved to lay it on the table, on which the yeas and nays were ordered, on motion of Mr. Graham, and resulted in the negative, yeas 34, nays 52, as follows:

YEAS—Messrs. Badger, Battle of Edgecombe, Bogle, Brodnax, Bunting, Caldwell of Rowan, Dickson, Dillard, Edwards, Fuller, Green, Hargrove, Hicks, Holmes, Houston, Kelly, Mitchell, Osborne, Patterson, Penland, Pettigrew, Rayner, Reid, Rhodes, Royster, Strange, Thompson, Thornton, Ward, Williamson, Woodfin and Wooten—34.

NAYS—Messrs. Armfield, Arrington, Barnes, Batchelor, Battle of Wake, Berry, Bond, Bryson, Calloway, Cannon, Carson, Christian, Darden, Dick, Eller, Ellison, Foster of Ashe, Foster of Randolph, Gilmer, Gorrell, Graham, Hamlin, Headen, Holden, Johnston, Jones of Currituck, Jones of Rowan, Kittrell, Leak of Anson, Leak of Richmond, Long, Manning, Meares, Merritt, Myers, Phifer, Sanders, Satterthwaite, Setzer, Shipp, Smith of Halifax, Smith of Macon, Speed, Sprouse, Spruill of Bertie, Spruill of Tyrrell, Sutherland, Thomas of Carteret, Warren, Whitford and Wilson—52.

The question then recurred on the motion of Mr. Graham to postpone indefinitely, pending the consideration of which,

The President announced the following committees:

*On the resolution concerning the manufacture of Oil Cloth—*  
Messrs. Holden, Strange and Jones of Rowan.

*On the resolution of inquiry concerning the distribution of the Acts of the General Assembly—*Messrs. Setzer, Jones of Currituck, Penland, Allison and Spruill of Tyrrell.

Then, on motion of Mr. Rayner, the Convention adjourned to 10 o'clock, Monday morning.

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### IN CONVENTION, MONDAY, December 9, 1861.

The Convention was called to order by the President pursuant to adjournment. Prayer by the Rev. J. M. Atkinson, of the Presbyterian Church.

The journal of Saturday was read and approved.

The President informed the Convention that he had complied with their order to forward to our Representatives in Congress the resolutions of confidence in the justice of our cause of war, and in the President and army.

Mr. Strange presented a petition from citizens of New Hanover against distilleries, which was read and referred to the committee on Distilleries.

Mr. Mitchell presented a memorial from citizens of Iredell asking a modification of the Stay Law, which was read and referred to the committee on the Stay Law.

Mr. Satterthwaite, from the select committee to whom was referred a resolution concerning the disbursement of the public money, reported an ordinance to continue the Board of Claims, and to enlarge the duties and powers of the same, which passed its first reading, and together with the report, ordered to be printed.

Mr. Mitchell introduced an ordinance to repeal certain sections of an act of the General late Assembly, to alter the jurisdiction of the Courts and the rules of pleadings therein, which was read and referred to the committee on the Judiciary Department.

Mr. Hicks introduced an ordinance to re-construct certain bridges on the Western Turnpike Road—read first time and lies over under the rule.

Mr. Battle, of Wake, introduced a resolution instructing the Military Committee to inquire into the propriety of exempting Clerks of the County Courts from periodical drills of the militia, which was read and lies over under the rule.

Mr. Reid introduced an ordinance for increasing the salaries of the Public Treasurer and Comptroller, which was read and lies over for consideration.

The following ordinances, &c., heretofore introduced were taken up and disposed of as indicated:

A resolution to furnish maps for the use of the Convention—read the second time and laid upon the table.

An ordinance to authorize the Public Treasurer to employ an additional clerk, was read the second time and ordered to a third reading.

Mr. Ruffin moved to suspend the rules and put the ordinance now on its third reading. The motion prevailed, and it was read the third time.

Mr. Ruffin moved to amend, by extending the authority to the Comptroller of Public Accounts, and the amendment was agreed to.

As thus amended, the ordinance passed the third reading, and was ordered to be enrolled.

Mr. Headen moved to take up his resolution to raise a committee of five to report in regard to the property of alien enemies. The motion prevailed, and the resolution was read and adopted.

The unfinished business, being the ordinance to define and punish sedition, was then taken up, the question being on the motion to indefinitely postpone.

Mr. Woodfin moved to postpone the consideration of the subject for half an hour, and it was agreed to.

Mr. Gilmer moved to take up the ordinance to incorporate the Piedmont Railroad Company. The motion prevailed, and the ordinance was read the second time, and passed the second reading.

The consideration of the unfinished business was resumed.

After some time spent in the discussion thereof,

Mr. Badger moved to postpone its further consideration and make it the special order for to-morrow at 11 o'clock, and it was agreed to.

The resolution discountenancing party spirit was then taken up; the question being on a motion to lay on the table, on which the yeas and nays having been heretofore ordered, were now recorded, and resulted in the affirmative, yeas 47, nays 43, as follows:

YEAS—Messrs. Badger, Batchelor, Battle of Edgecombe, Bogle, Brown, Calloway, Carson, Cunningham, Darden, Dickson, Dillard, Edwards, Fuller, Hargrove, Hicks, Holmes, Johnston, Jones of Currituck, Jones of Rowan, Kelly, Lyon, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, Merritt, Mitchell, Moody, Osborne, Patterson,

Penland, Rayner, Reid, Rhodes, Ruffin, Schenck, Setzer, Smith of Halifax, Strange, Strong, Sutherland, Thompson, Thornton, Turner, Ward, Williamson, Woodfin and Wooten—47.

NAYS—Messrs. Arrington, Barnes, Battle of Wake, Berry, Bond, Bryson, Cannon, Christian, Dick, Douthitt, Eller, Ellison, Foster of Ashe, Foster of Randolph, Gilmer, Gorrell, Graham, Hamlin, Headen, Holden, Houston, Joyce, Leak of Richmond, Long, Mann, Manning, Mebane, Myers, Phifer, Sanders, Satterthwaite, Shipp, Smith of Johnston, Smith of Macon, Speed, Sprouse, Spruill of Bertie, Spruill of Tyrrell, Thomas of Carteret, Warren, Washington, Whitford and Wilson—43.

Mr. Sanders moved to take up his resolution fixing the hours of the daily sessions, and it was agreed to.

Mr. Battle, of Wake, moved to substitute "7" for "4" P. M., for meeting in afternoon, and it was not agreed to.

The question was then put on the passage of the resolution, on which the yeas and nays were ordered, on motion of Mr. Sanders, and resulted in the affirmative, yeas 79, nays 12, as follows :

YEAS—Messrs. Arrington, Barnes, Batchelor, Battle of Wake, Berry, Bond, Brodnax, Brown, Bryson, Calloway, Cannon, Carson, Christian, Cunningham, Darden, Dick, Dickson, Dillard, Douthitt, Eller, Ellison, Foster of Ashe, Foster of Randolph, Fuller, Gilmer, Gorrell, Graham, Hamlin, Hargrove, Headen, Hearne, Hicks, Holden, Holmes, Houston, Jones of Currituck, Jones of Rowan, Joyce, Leak of Anson, Leak of Richmond, Long, Lyon, Mann, Manning, McDowell of Burke, McDowell of Madison, Meares, Mebane, Merritt, Mitchell, Moody, Myers, Patterson, Phifer, Reid, Rhodes, Sanders, Satterthwaite, Schenck, Setzer, Shipp, Smith of Halifax, Smith of Johnston, Smith of Macon, Speed, Sprouse, Spruill of Bertie, Spruill of Tyrrell, Sutherland, Thomas of Carteret, Thompson, Turner, Ward, Warren, Washington, Whitford, Williamson, Wilson and Woodfin—79.

NAYS—Messrs. Badger, Battle of Edgecombe, Bogle, Edwards, McNeill of Cumberland, Osborne, Penland, Ruffin, Strange, Strong, Thornton and Wooten—12.

The ordinance to suppress oppressive speculation was then taken up, the pending question on its passage upon the second reading, on which the yeas and nays were ordered, on motion of Mr. Battle, of Wake. Before the vote was recorded,

Mr. Green offered an amendment to prevent the distillation of corn and wheat into whisky, and it was not agreed to.

Mr. Badger moved to re-consider the last vote, and the motion prevailed.

The question then recurred on the amendment, on which the yeas and nays were ordered, on motion of Mr. Green. Before the vote was recorded,

The President announced, as the select committee to inquire concerning the property of alien enemies: Messrs. Headen, Strong, Thompson, Bogle and Sutherland.

And then, on motion of Mr. Speed, the Convention adjourned to 10 o'clock to-morrow morning.

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#### IN CONVENTION, TUESDAY, December 10, 1861.

The President called the Convention to order pursuant to adjournment. Prayer by the Rev. Henry Hardie, of the Presbyterian Church.

The journal of yesterday was read and approved.

Mr. Foy presented a petition from citizens of Jones county, praying a repeal of the Stay Law, and for the constitutional organization of the Supreme Court, and moved that that part of the petition relating to the Stay Law be referred to the committee on the Stay Law, and that part relating to the Supreme Court be referred to the committee on the Judiciary Department, and it was so ordered.

Mr. Thompson presented a petition from citizens of Wilson county, praying the repeal of the Stay Law, which was read and referred to the committee on the Stay Law.

By Mr. Douthitt, a petition from citizens of Davidson, on the same subject, which was referred to the same committee.

Mr. Manning, from the committee on the Coalfields Railroad, reported an ordinance to amend an act of the late session of the General Assembly, to complete the Western North Carolina Railroad, which passed its first reading.

Mr. Osborne introduced an ordinance to punish treason, which passed the first reading.

Mr. Leak, of Richmond, introduced an ordinance on the subject of distilleries, which passed the first reading.

By Mr. Shipp, an ordinance in regard to certain courts held by Judge French, and for other purposes, read and passed the first reading.

Mr. Graham presented a petition from citizens of the county of Orange, against a repeal of the Stay Law, and against fixing a price upon the products of the farm, which was read and referred to the committee on the Stay Law.

Mr. Schenck, from the committee on the Stay Law, made a report on matters referred to that committee, and adversely to a repeal of the act of the General Assembly on that subject, and the report was ordered to be printed.

Mr. Rayner, from the Finance Committee, reported an ordinance for continuing the Board of Claims, which passed the first reading.

Mr. Woodfin introduced a resolution for the establishment of a Bank of the State, which passed the first reading and was ordered to be printed.

Mr. Ellison, from the committee on the Bill of Rights, made a report recommending certain amendments to the Bill of Rights, which was ordered to be printed.

Mr. Cannon offered a resolution limiting debate in the Convention, which lies over under the rule.

Mr. Woodfin introduced an ordinance to modify and perfect an ordinance passed at the present session, entitled "An Ordinance to provide for the immediate wants of the Treasury," which passed the first reading.

By Mr. Kittrell, a resolution calling on the Governor for information in regard to the defenses of the State, which lies over under the rule.

Mr. Manning introduced an ordinance to encourage the mining and manufacturing of Salt in the interior of the State, which passed its first reading.

Mr. Manning moved to suspend the rules and put the ordinance on its several readings to-day, and it was not agreed to.

Mr. Strong, from the committee on Enrollments, reported the following as correctly enrolled, and the same were ratified in open Convention by the signature of the President and attestation of the Secretaries:

A resolution in favor of Dr. Wm. E. Pool;

An ordinance to authorize the Public Treasurer to employ an additional clerk, and for other purposes;

Resolution concerning the daily sittings of the Convention;

A resolution to transmit a copy of the Supreme Court Reports to the Department of Justice of the Confederate States.

Mr. Woodfin moved that the communication of Dr. Emmons, on the manufacture of Salt heretofore transmitted to the Convention by His Excellency, the Governor, be printed for the use of the Convention, and it was agreed to.

The special order, the ordinance to define and punish sedition, was taken up, the question being on Mr. Graham's motion to indefinitely postpone. Before any action thereon,

The President announced a despatch from Dennis D. Ferebee, Commissioner to Richmond, which was read.

Also, a communication from the Adjutant General in response to a resolution of the Convention asking information in regard to the volunteers from this State, which was ordered to be printed.

The hour having arrived, the Convention took a recess until 4 o'clock, P. M.

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#### AFTERNOON SESSION.

The consideration of the ordinance to define and punish sedition, was resumed. The yeas and nays having been ordered on Mr. Graham's motion to indefinitely postpone, were now recorded, yeas 79, nays 22, as follows:



YEAS—Messrs. Armfield, Arrington, Atkinson, Badger, Bagley, Battle of Wake, Berry, Bogle, Bond, Brodnax, Brown, Bryson, Calloway, Cannon, Christian, Dick, Dickson, Dillard, Douthitt, Durham, Eller, Ellison, Foster of Ashe, Foster of Randolph, Foy, Fuller, Gilmer, Gorrell, Graham, Green, Hamlin, Hargrove, Headen, Hearne, Hicks, Holden, Houston, Jones of Caldwell, Jones of Currituck, Jones of Rowan, Joyce, Kelly, Kittrell, Leak of Anson, Leak of Richmond, Long, Lyon, Mann, Manning, McNeill of Harnett, Meares, Mebane, Merritt, Miller, Mitchell, Myers, Osborne, Patterson, Rhodes, Royster, Ruffin, Sanders, Satterthwaite, Schenck, Setzer, Shipp, Smith of Halifax, Smith of Johnston, Smith of Macon, Speed, Sprouse, Spruill of Bertie, Spruill of Tyrrell, Thomas of Carteret, Turner, Warren, Whitford, Williamson and Wilson—79.

NAYS—Messrs. Batchelor, Cunningham, Darden, Edwards, Holmes, Johnston, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, Moody, Moseley, Penland, Rayner, Reid, Strange, Strong, Thompson, Thornton, Ward, Williams, Woodfin and Wooten—22.

Then, on motion of Mr. Badger, the Convention adjourned to 10 o'clock to-morrow morning.

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### IN CONVENTION, WEDNESDAY, December 11, 1861.

The President called the Convention to order pursuant to adjournment. Prayer by Rev. Mr. Broadbuss, of the Baptist Church.

The journal of yesterday was read and approved.

Mr. Setzer, from the committee on the resolution concerning the distribution of the Acts of the General Assembly, reported that the committee had information that the Acts were nearly ready and would soon be distributed according to law, and asked to be discharged from the further consideration of the subject.

The report was received and the committee discharged.

Mr. Strong, from the committee on enrollments, reported as correctly enrolled, "an ordinance to provide for the raising of

money for the support of Government, and for the issue of Treasury notes for the purpose of paying the public debt, purchasing supplies for the military forces employed for defense in the present war, and for other purposes," and the same was ratified in open convention by the signature of the President, and attested by the Secretaries.

Mr. Rayner introduced an ordinance to define and punish treason, which passed the first reading.

Mr. Smith, of Halifax, from the finance committee, made a report on the claims reported by the Board of Claims, recommending that the same be allowed, excepting Nos. 83, 131, 135 and 136, and asking further time to consider claim No. 90.

Mr. Smith moved to suspend the rules and consider the report to-day, but afterwards withdrew the motion.

Mr. Rayner moved to recommit the report, with certain instructions, and it was agreed to.

Mr. Thomas, of Jackson, introduced an ordinance to amend an act of the late General Assembly to raise a force for the defense of the State, which passed the first reading and was referred to the committee on Military Affairs.

Mr. Satterthwaite moved to take up and consider the ordinance to continue the Board of Claims, and enlarge the powers thereof, and it was agreed to.

The ordinance was read the second time, and on motion of Mr. Satterthwaite, some verbal alterations made therein.

Mr. Rayner moved to strike out the whole ordinance and substitute therefor the ordinance introduced by him yesterday on the same subject.

Mr. Brown moved to amend the original ordinance by striking out of section 6, the words "\$2500," and inserting "\$2000."

Pending the discussion of this amendment,

Mr. Rayner withdrew his substitute, and it was renewed by Mr. Barnes.

Mr. Gilmer moved to take up the special order, the hour having arrived therefor.

Mr. Satterthwaite moved to postpone the special order, and it was agreed to.

The consideration of the amendment of Mr. Brown was then resumed, and the amendment adopted.

The question was then, on the substitute offered by Mr. Barnes, on which the yeas and nays were ordered, on motion of Mr. Moody, and the substitute was rejected, yeas 41, nays 63, as follows :

YEAS—Messrs. Barnes, Batchelor, Battle of Edgecombe, Bogle, Cunningham, Darden, Dillard, Durham, Edwards, Foy, Gorrell, Green, Hargrove, Hicks, Holmes, Jones of Currituck, Kelly, Lyon, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, McNeill of Harnett, Merritt, Miller, Moody, Moseley, Osborne, Patterson, Reid, Rhodes, Royster, Ruffin, Schenck, Setzer, Thomas of Jackson, Thompson, Turner, Ward, Williams, Woodfin and Wooten—41.

NAYS—Messrs. Allison, Armfield, Arrington, Atkinson, Badger, Battle of Wake, Berry, Bond, Brodnax, Brown, Bryson, Calloway, Cannon, Carson, Christian, Dick, Dickson, Douthitt, Eller, Ellison, Foster of Ashe, Foster of Randolph, Fuller, Gilmer, Graham, Hamlin, Hearne, Holden, Houston, Johnston, Jones of Caldwell, Jones of Rowan, Joyce, Kittrell, Leak of Anson, Leak of Richmond, Long, Mann, Manning, Meares, Mebane, Mitchell, Myers, Penland, Phifer, Rayner, Sanders, Satterthwaite, Shipp, Smith of Halifax, Smith of Johnston, Smith of Macon, Speed, Sprouse, Spruill of Bertie, Spruill of Tyrrell, Strange, Strong, Thomas of Carteret, Thornton, Warren, Williamson and Wilson—63.

Mr. Rayner moved to amend the ordinance by adding to the first section the words, "subject, however, to any provisions hereafter made by this Convention previous to the time mentioned," and it was agreed to.

Mr. Ellison moved to amend the second section by adding, after the word "Treasury," the words, "upon the draft of the Governor," and it was not agreed to.

Mr. Lyon moved to strike out the annual salary of the Commissioners, and insert a provision to pay them six dollars per day while actually engaged in the duties of their office, and it was not agreed to.

The question was then on the passage of the ordinance on the second reading, on which the yeas and nays were ordered, on motion of Mr. Satterthwaite, and resulted in the affirmative, yeas 96, nays 8, as follows:

YEAS—Messrs. Allison, Armfield, Arrington, Atkinson, Badger, Bagley, Barnes, Batchelor, Battle of Edgecombe, Battle of Wake, Berry, Bogle, Bond, Brodnax, Brown, Bryson, Calloway, Cannon, Carson, Christian, Cunningham, Darden, Dick, Dickson, Dillard, Douthitt, Durham, Edwards, Eller, Ellison, Foster of Ashe, Foster of Randolph, Foy, Fuller, Gilmer, Gorrell, Graham, Green, Hamlin, Hargrove, Headen, Hearne, Hicks, Holden, Holmes, Houston, Howard, Johnston, Jones of Caldwell, Jones of Currituck, Jones of Rowan, Joyce, Kelly, Kittrell, Leak of Anson, Leak of Richmond, Long, Lyon, Mann, Manning, McDowell of Madison, McNeill of Harnett, Meares, Mebane, Merritt, Miller, Mitchell, Myers, Osborne, Patterson, Penland, Phifer, Rayner, Rhodes, Royster, Ruffin, Sanders, Satterthwaite, Schenck, Setzer, Shipp, Smith of Halifax, Smith of Johnston, Smith of Macon, Speed, Sprouse, Spruill of Bertie, Spruill of Tyrrell, Strange, Strong, Thomas of Carteret, Thornton, Turner, Ward, Warren, Williamson, Wilson and Wooten—96.

NAYS—Messrs. McDowell of Burke, McNeill of Cumberland, Moody, Moseley, Reid, Thompson, Williams and Woodfin—8.

Mr. Badger moved to suspend the rules and give the ordinance its third reading to-day, and it was agreed to.

It was then read the third time, passed, and ordered to be enrolled.

The hour having arrived, the Convention took a recess until 4 o'clock.

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#### AFTERNOON SESSION.

Mr. Green moved to postpone the special order, to take up and consider his ordinance to elect a Governor to fill the vacancy occasioned by the death of Hon. John W. Ellis, and it was not agreed to.

Mr. Smith, of Halifax, from the committee of finance, reported an ordinance in favor of Claims allowed by the Board of Claims, which passed the first reading.

Mr. Strange moved to amend by adding the claims of certain Railroad Companies, but afterward withdrew it.

Mr. Smith, of Halifax, then moved to suspend the rules and put the ordinance on its second and third readings to-day.

The motion prevailed, and the ordinance passed the second and third readings, and was ordered to be enrolled.

The ordinance to prevent speculation, being the special order, was then taken up, the question being on the amendment of Mr. Green, to prevent the distillation of corn and wheat.

Mr. Battle, of Wake, offered an amendment to the amendment, by adding, after the words "spirituous liquors," the words, "with the intent to sell at unreasonable prices."

Mr. Gorrell moved to postpone the whole subject indefinitely, on which the yeas and nays were ordered, on his motion, and resulted in the negative, yeas 34, nays 68, as follows:

YEAS—Messrs. Allison, Brodnax, Brown, Bryson, Calloway, Cannon, Dick, Ferebee, Foster of Randolph, Gorrell, Graham, Hearne, Houston, Johnston, Jones of Caldwell, Jones of Currituck, Jones of Rowan, Long, Mann, Manning, McDowell of Burke, Mebane, Merritt, Myers, Patterson, Penland, Phifer, Reid, Satterthwaite, Setzer, Speed, Sprouse, Spruill of Bertie, Thomas of Carteret, and Williamson—34.

NAYS—Messrs. Armfield, Arrington, Atkinson, Badger, Bagley, Barnes, Batchelor, Battle of Edgecombe, Battle of Wake, Berry, Biggs, Bond, Carson, Christian, Cunningham, Darden, Dickson, Dillard, Douthitt, Durham, Edwards, Eller, Ellison, Foster of Ashe, Foy, Fuller, Gilmer, Green, Hamlin, Hargrove, Headen, Hicks, Holden, Holmes, Joyce, Kelly, Kittrell, Leak of Anson, Leak of Richmond, Lyon, McDowell of Madison, McNeill of Cumberland, McNeill of Harnett, Miller, Moody, Moseley, Osborne, Rayner, Rhodes, Royster, Ruffin, Sanders, Schenck, Shipp, Smith of Johnston, Smith of Macon, Strange, Strong, Thomas of Jackson, Thompson, Thornton, Turner, Ward, Warren, Whitford, Williams, Wilson, Woodfin and Wooten—68.

The question on the amendment to the amendment was then put and decided in the negative.

Mr. Cannon then offered an amendment to the amendment, making exception to its operation in certain cases, and it was adopted, ayes 48, noes 45, by count.

Mr. Thompson moved to lay the ordinance and amendment on the table, and it was not agreed to.

Mr. Merritt moved to reconsider the vote by which the amendment of Mr. Cannon to the amendment of Mr. Green was adopted, and the motion prevailed.

Mr. Strange moved an adjournment, and it was not agreed to.

Mr. Cannon then withdrew his amendment.

The question then recurred on Mr. Green's amendment, on which the yeas and nays were ordered, on motion of Mr. Green, and resulted in the negative, yeas 25, nays 77, as follows:

YEAS—Messrs. Atkinson, Badger, Biggs, Ellison, Fuller, Green, Hicks, Holmes, Kelly, Kittrell, Leak of Anson, Leak of Richmond, McNeill of Cumberland, Miller, Moody, Smith of Macon, Strong, Thompson, Turner, Ward, Warren, Whitford, Williams, Woodfin and Wooten—25.

NAYS—Messrs. Allison, Armfield, Arrington, Barnes, Batchelor, Battle of Edgecombe, Battle of Wake, Berry, Bond, Brown, Bryson, Calloway, Cannon, Carson, Christian, Cunningham, Darden, Dick, Dickson, Dillard, Douthitt, Durham, Edwards, Eller, Ferebée, Foster of Ashe, Foster of Randolph, Foy, Gilmer, Gorrell, Graham, Hamlin, Hargrove, Headen, Hearne, Holden, Houston, Johnston, Jones of Caldwell, Jones of Currituck, Jones of Rowan, Joyce, Long, Mann, Manning, McDowell of Burke, McDowell of Madison, McNeill of Harnett, Mebane, Merritt, Moseley, Myers, Osborne, Patterson, Penland, Phifer, Rayner, Reid, Rhodes, Royster, Ruffin, Sanders, Satterthwaite, Schenck, Setzer, Shipp, Smith of Johnston, Speed, Sprouse, Spruill of Bertie, Spruill of Tyrrell, Strange, Thomas of Carteret, Thomas of Jackson, Thornton, Williamson and Wilson—77.

Mr. Headen offered a substitute for the ordinance, and the question thereon being put, it was decided in the negative.

Mr. Williamson moved an adjournment, and it was not agreed to.

Mr. Fuller offered an amendment limiting the price of corn and wheat purchased for distillation, to seventy cents per bushel, and the amendment was not agreed to.

The question was then on the passage of the ordinance on its second reading, on which the yeas and nays having been previously ordered, were now recorded, and resulted in the affirmative, yeas 60, nays 39, as follows:

YEAS—Messrs. Armfield, Arrington, Atkinson, Badger, Barnes, Batchelor, Battle of Edgecombe, Battle of Wake, Berry, Biggs, Bond, Carson, Christian, Cunningham, Darden, Dick, Dickson, Dillard, Douthitt, Durham, Edwards, Ellison, Foster of Ashe, Foy, Gilmer, Green, Hamlin, Hargrove, Holden, Holmes, Houston, Joyce, Kelly, Kittrell, Leak of Anson, Leak of Richmond, Lyon, McNeill of Cumberland, McNeill of Harnett, Moody, Moseley, Osborne, Rayner, Royster, Ruffin, Sanders, Schenck, Shipp, Smith of Johnston, Smith of Macon, Sprouse, Strange, Strong, Thornton, Turner, Ward, Warren, Whitford, Williams, Wilson, Woodfin and Wooten—60.

NAYS—Messrs. Allison, Brodnax, Brown, Bryson, Calloway, Cannon, Eller, Ferebee, Foster of Randolph, Fuller, Gorrell, Graham, Headen, Hearne, Hicks, Jones of Caldwell, Jones of Currituck, Jones of Rowan, Long, Mann, Manning, McDowell of Burke, McDowell of Madison, Mebane, Merritt, Miller, Patterson, Penland, Phifer, Reid, Satterthwaite, Setzer, Speed, Spruill of Bertie, Spruill of Tyrrell, Thomas of Carteret, Thomas of Jackson, Thompson and Williamson—39.

Mr. Badger moved to suspend the rules and put the ordinance on the third reading to-day, and the motion prevailed.

The ordinance then passed the third reading, ayes 56, noes 34, and was ordered to be enrolled.

Mr. Badger moved to reconsider the vote by which the ordinance passed the third reading, and it was not agreed to.

Then, on motion of Mr. Badger, the Convention adjourned to 10 o'clock to-morrow morning.

IN CONVENTION, THURSDAY, December 12, 1861.

The President called the Convention to order pursuant to adjournment.

The journal of yesterday was read and amended.

Mr. Carson, delegate from the county of Rutherford, offered his resignation.

On motion of Mr. Schenck, the resignation was accepted, and a writ of election ordered for the 28th of the present month to fill the vacancy.

Messrs. Allison and Ferebee asked leave to have it stated on the journal that had they been present they would have voted in the affirmative on the indefinite postponement of the ordinance to define and punish treason, which was granted, and

Mr. Biggs, in the negative on the same question, which was also granted.

Mr. Osborne, from the committee on Military Affairs, to whom was referred a resolution concerning militia drill, reported an ordinance to regulate the drilling of the militia to once in each month, exclusive of regimental drill.

Mr. Brown moved to suspend the rules and put the ordinance on its several readings to-day.

The motion prevailed, and the ordinance was read the second time.

Mr. Sanders moved to amend by adding the words, "except by order of the Captain or commandant of the company."

Mr. Batchelor moved to lay the subject on the table, on which the yeas and nays were ordered, on motion of Mr. Brown, and resulted in the negative, yeas 19, nays 74, as follows:

YEAS—Messrs. Batchelor, Battle of Edgecombe, Biggs, Darden, Fuller, Holmes, Kelly, McNeill of Cumberland, Meares, Myers, Osborne, Penland, Schenck, Smith of Halifax, Strange, Strong, Thompson, Thornton, Woodfin and Wooten—19.

NAYS—Messrs. Allison, Armfield, Barnes, Battle of Wake, Berry, Bogle, Bond, Brodnax, Brown, Bryson, Calloway, Cannon, Carson, Christian, Cunningham, Dick, Dickson, Dillard, Douthitt, Edwards, Eller, Ellison, Foster of Ashe, Foster of Randolph, Foy, Gilmer, Gorrell, Graham, Green, Hamlin, Har-



grove, Headen, Hearne, Holden, Houston, Howard, Johnston, Jones of Caldwell, Jones of Currituck, Jones of Rowan, Joyce, Kittrell, Leak of Anson, Leak of Richmond, Long, Lyon, Mann, McDowell of Burke, McDowell of Madison, McNeill of Harnett, Mebane, Mitchell, Moody, Moseley, Patterson, Phifer, Rayner, Reid, Rhodes, Royster, Ruffin, Sanders, Satterthwaite, Setzer, Smith of Johnston, Smith of Macon, Speed, Sprouse, Thomas of Carteret, Warren, Williams, Williamson and Wilson—74.

The question recurred on Mr. Sanders' amendment, and it was not agreed to.

The ordinance then passed the second and third readings, and was ordered to be enrolled.

Mr. Gilmer introduced a resolution asking of the Governor information on the subject of the Cape Fear and Deep River Improvement, which was adopted under a suspension of the rules.

Mr. Osborne, from the Military Committee, reported a resolution to pay bounty money to the soldiers of Capt. Stevenson's artillery company, and moved to suspend the rules and put the resolution on its several readings.

The motion prevailed, and the resolution was read the second time.

Mr. Biggs offered an amendment making the provisions of the resolution general in their application.

Mr. Speed moved to re-commit the resolution with instructions.

Pending the consideration of which, the President announced that the hour had arrived for the consideration of the special order.

Mr. Badger moved to suspend the special order until the business before the Convention shall be disposed of, and the motion did not prevail.

Mr. Headen, by consent, introduced an ordinance to authorize a battalion of six companies of volunteers for twelve months, which passed the first reading.

Mr. Holden moved to suspend the rules and give the ordinance its several readings to-day. The motion prevailed, and the ordinance was read the second time.

Mr. Badger moved to strike out the last section, which provides for the time the ordinance shall take effect, and it was agreed to.

Mr. Ruffin offered an amendment providing for the transfer of the battalion to the Confederate service, which was adopted.

Mr. Meares offered an amendment authorizing the increase of the battalion to a regiment, and providing for the election of the proper officers thereof, and it was agreed to.

The ordinance then passed the second and third readings, and was ordered to be enrolled.

Mr. Ferebee, Commissioner to Richmond to consult with the Confederate authorities relative to the payment of the Confederate taxes, made, verbally, a partial report of the result of his mission.

Mr. Strong, from the select committee on a resolution concerning the lands in Haywood county belonging to alien enemies, reported back the resolution and asked that it be referred to the committee having general charge of the subject, and it was agreed to.

The President announced a communication from J. Devereux, A. A. G., which was read, and on motion of Mr. Badger, laid upon the table.

The special order, being the ordinance to incorporate the Piedmont Railroad Company, was then taken up, the question being on its passage on the second reading.

Mr. Brown proposed to amend the first section, by adding, after the word "Railroad," in the 10th line, the words, "at the Company's Shops, in the county of Alamance."

Mr. Strange moved to postpone the further consideration of the subject until the 22nd day of January, 1862, and make it the special order for 12 o'clock on that day, on which the yeas and nays were ordered, on motion of Mr. Gorrell.

Then, the hour having arrived, the Convention took a recess till 4 o'clock.

## AFTERNOON SESSION.

Mr. Strange introduced a resolution to postpone the publication of certain old Colonial Records, ordered by the late General Assembly, and the resolution was adopted under a suspension of the rules.

Mr. Battle, of Wake, from the committee on Enrollments, reported as correctly enrolled, the following, which were duly ratified:

An ordinance directing the payment of certain claims awarded by the Board of Claims;

An ordinance to regulate militia drills;

X An ordinance to suppress oppressive speculation upon the necessities of the people; *Not passed*

An ordinance for continuing the board created by an ordinance of the Convention, passed the 8th day of June, 1861, entitled "An ordinance to provide for the appointment of a Board of Claims," and for enlarging the powers and duties of said board;

An ordinance to authorize the raising of a battalion of six companies, or a regiment of troops for twelve months.

Mr. Ruffin offered a resolution providing for the publication of the laws of the present session of the Convention in three newspapers in Raleigh, and the resolution was adopted under a suspension of the rules.

The consideration of the ordinance to charter the Piedmont Railroad Company was then resumed, the question being on the motion to postpone to the 22nd of January next, on which the yeas and nays were now recorded, and resulted in the negative, yeas 42, nays 48, as follows:

YEAS—Messrs. Arrington, Atkinson, Barnes, Batchelor, Battle of Edgecombe, Battle of Wake, Biggs, Darden, Dickson, Dillard, Edwards, Foy, Graham, Green, Hargrove, Holmes, Howard, Jones of Currituck, Leak of Anson, Lyon, Mann, McNeill of Cumberland, Mebane, Merritt, Moody, Moseley, Rayner, Royster, Sanders, Satterthwaite, Smith of Halifax,

Speed, Spruill of Bertie, Strange, Strong, Thomas of Carteret, Thompson, Thornton, Warren, Williams and Wooten—42.

NAYS—Messrs. Allison, Armfield, Badger, Bogle, Brodnax, Brown, Bryson, Caldwell of Rowan, Calloway, Cannon, Christian, Cunningham, Dick, Douthitt, Durham, Eller, Foster of Randolph, Gilmer, Gorrell, Hamlin, Hearne, Johnston, Jones of Caldwell, Jones of Rowan, Joyee, Kittrell, Leak of Richmond, Long, Manning, McNeill of Harnett, Miller, Mitchell, Myers, Osborne, Patterson, Phifer, Reid, Ruffin, Schenck, Setzer, Shipp, Smith of Johnston, Smith of Macon, Sprouse, Thomas of Jackson, Turner, Williamson and Wilson—48.

Mr. Rhodes paired off.

Mr. Speed moved to adjourn, on which the yeas and nays were ordered, on motion of Mr. Gilmer, and resulted in the negative, yeas 21, nays 67, as follows:

YEAS—Messrs. Batchelor, Battle of Edgecombe, Dickson, Edwards, Foy, Green, Holmes, Howard, Mebane, Merritt, Moody, Rhodes, Satterthwaite, Smith of Halifax, Speed, Strange, Strong, Thomas of Carteret, Thompson, Thornton and Williams—21.

NAYS—Messrs. Allison, Armfield, Arrington, Atkinson, Badger, Barnes, Battle of Wake, Berry, Biggs, Bogle, Bond, Brodnax, Brown, Bryson, Caldwell of Rowan, Calloway, Cannon, Christian, Cunningham, Darden, Dick, Dillard, Douthitt, Durham, Eller, Foster of Ashe, Foster of Randolph, Gilmer, Gorrell, Graham, Hamlin, Hargrove, Hearne, Johnston, Jones of Caldwell, Jones of Currituck, Jones of Rowan, Joyce, Kittrell, Leak of Anson, Leak of Richmond, Long, Lyon, Mann, Manning, McNeill of Cumberland, McNeill of Harnett, Miller, Mitchell, Moseley, Myers, Osborne, Reid, Royster, Ruffin, Sanders, Schenck, Setzer, Shipp, Smith of Johnston, Smith of Macon, Sprouse, Spruill of Bertie, Turner, Warren, Williamson and Wilson—67.

Mr. Rayner moved to postpone the further consideration of the subject until the 23rd day of January next. Pending the consideration of which,

Mr. Howard moved to postpone the further consideration of the subject at present, for the purpose of receiving the report of D. D. Ferebee, Esq., Commissioner to Richmond, on which the yeas and nays were ordered, on his motion, and resulted in the affirmative, yeas 65, nays 18, as follows:

YEAS—Messrs. Allison, Arrington, Atkinson, Barnes, Batchelor, Battle of Edgecombe, Battle of Wake, Biggs, Bond, Brodnax, Brown, Bryson, Cannon, Cunningham, Darden, Dick, Dickson, Dillard, Durham, Edwards, Eller, Ellison, Foster of Ashe, Gorrell, Graham, Green, Hargrove, Holmes, Howard, Johnston, Jones of Caldwell, Jones of Currituck, Leak of Anson, Leak of Richmond, Long, Lyon, Mann, Manning, McNeill of Cumberland, Mebane, Merritt, Miller, Moody, Moseley, Osborne, Patterson, Rayner, Rhodes, Royster, Ruffin, Sanders, Satterthwaite, Schenck, Setzer, Shipp, Speed, Sprouse, Spruill of Bertie, Strange, Strong, Thomas of Carteret, Thompson, Thornton, Warren, Williams and Wooten—65.

NAYS—Messrs. Armfield, Badger, Bogle, Caldwell of Rowan, Calloway, Christian, Douthitt, Foster of Randolph, Gilmer, Hamlin, Jones of Rowan, Joyce, Kittrell, Myers, Reid, Smith of Johnston, Thomas of Jackson, and Wilson—18.

The report, consisting of a letter of inquiry by Mr. Ferebee to Hon. C. J. Memminger, Secretary of the Treasury, and his answer thereto, were read, and, on motion of Mr. Biggs, was laid upon the table and ordered to be printed.

The consideration of the Piedmont Railroad ordinance was resumed, and after discussion thereof,

Mr. Sanders moved an adjournment, on which the yeas and nays were ordered, on motion of Mr. Gilmer, and resulted in the affirmative, yeas 41, nays 37, as follows:

YEAS—Messrs. Allison, Arrington, Atkinson, Batchelor, Battle of Edgecombe, Biggs, Cannon, Darden, Dillard, Edwards, Ellison, Ferebee, Graham, Green, Holmes, Jones of Currituck, Leak of Anson, Leak of Richmond, Lyon, Mann, Manning, McNeill of Cumberland, McNeill of Harnett, Mebane, Moseley, Myers, Rayner, Rhodes, Royster, Sanders, Setzer, Speed, Sprouse, Strange, Strong, Thomas of Carteret, Thompson, Thornton, Williams and Wooten—41.

NAYS—Messrs. Armfield, Bogle, Brodnax, Brown, Bryson, Caldwell, Calloway, Christian, Cunningham, Dick, Douthitt, Durham, Eller, Foster of Ashe, Foster of Randolph, Gilmer, Gorrell, Hamlin, Hargrove, Johnston, Jones of Caldwell, Jones of Rowan, Joyce, Merritt, Miller, Osborne, Patterson, Phifer, Reid, Schenck, Shipp, Smith of Macon, Thomas of Jackson, Turner, Warren, Williamson, Wilson and Woodfin—37.

Upon the announcement of the vote the Convention adjourned to 10 o'clock to-morrow morning.

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#### IN CONVENTION, FRIDAY, December 13, 1861.

The President called the Convention to order pursuant to adjournment.

The journal of yesterday was read and approved.

The President announced a communication from J. G. Martin, Adjutant General of the State, which was read.

Mr. Satterthwaite moved that the communication be returned to the writer.

After some discussion of the subject,

Mr. Ruffin moved to lay the communication on the table, on which the yeas and nays were ordered, on motion of Mr. Myers, and resulted in the affirmative, yeas 58, nays 14, as follows:

YEAS—Messrs. Allison, Armfield, Arrington, Atkinson, Badger, Barnes, Batchelor, Battle of Edgecombe, Battle of Wake, Berry, Biggs, Bond, Brodnax, Brown, Caldwell, Calloway, Cannon, Darden, Dick, Dickson, Douthitt, Durham, Edwards, Graham, Hamlin, Hargrove, Holden, Holmes, Johnston, Jones of Rowan, Joyce, Leak of Anson, Long, Lyon, Manning, Meares, Mebane, Mitchell, Myers, Osborne, Patterson, Phifer, Rayner, Reid, Rhodes, Royster, Ruffin, Sanders, Smith of Halifax, Smith of Macon, Sprouse, Strange, Strong, Thomas of Carteret, Thompson, Thornton, Turner, Williams and Wilson—58.

NAYS—Messrs. Dillard, Gilmer, Gorrell, Kittrell, Moseley, Satterthwaite, Schenck, Setzer, Smith of Johnston, Speed, Thomas of Jackson, Warren, Williamson and Woodfin—14.

Mr. Leak, of Anson, presented a memorial from citizens of Anson county, against speculators and distillers, which was read and referred to the committee on Distilleries.

Mr. Warren, from the select committee to whom was referred a memorial from citizens of Beaufort county, complaining of certain grievances, made a report, which was received and the committee discharged.

Mr. Warren offered a resolution in favor of the Doorkeepers, which passed, under a suspension of the rules.

Mr. Graham introduced a resolution providing for a call of the Convention before the 20th of January, in case it shall be necessary, which also passed, under a suspension of the rules.

Mr. Strong, from the committee on Enrollments, reported the following as correctly enrolled, and the same were duly ratified in open Convention :

A resolution authorizing the President to call the Convention together, if the public interests require it ;

A resolution in favor of the Doorkeeper and Assistant Doorkeepers ;

A resolution to postpone the printing of certain Colonial and other records ;

A resolution in regard to the printing of the ordinances and resolutions passed at the present session of the Convention ;

A resolution of inquiry as to the state and condition of the Cape Fear and Deep River Improvement ;

A resolution in favor of D. D. Ferebee.

The President announced that the hour had arrived to take up the orders of the day.

Mr. Osborne moved to postpone the special order, being the ordinance to charter the Piedmont Railroad Company, to the 22nd day of January, 1862, and the motion, after some discussion, was agreed to.

Mr. Woodfin moved to take up the ordinance to perfect the ordinance, passed at the present session, to provide for the immediate wants of the Treasury.

Mr. Badger moved to lay that motion on the table, on which the yeas and nays were ordered, on motion of Mr. Smith, of Halifax, and resulted in the negative, yeas 18, nays 53, as follows :

YEAS—Messrs. Atkinson, Badger, Barnes, Battle of Edgecombe, Battle of Wake, Berry, Brodnax, Calloway, Dickson, Foy, Graham, Holden, Rhodes, Ruffin, Satterthwaite, Strange, Strong, Thomas of Carteret, and Williamson—18.

MAYS—Messrs. Armfield, Arrington, Batchelor, Biggs, Bond, Brown, Bryson, Caldwell of Rowan, Cannon, Christian, Darden, Dick, Douthitt, Durham, Edwards, Ferebee, Gilmer, Gorrell, Hamlin, Hargrove, Holmes, Johnston, Joyce, Leak of Anson, Long, Lyon, Mann, Manning, Mebane, Moseley, Osborne, Phifer, Rayner, Reid, Royster, Sanders, Schenck, Setzer, Shipp, Smith of Halifax, Smith of Johnston, Smith of Macon, Sprouse, Spruill of Bertie, Thomas of Jackson, Thompson, Thornton, Turner, Warren, Williams, Wilson and Woodfin—53.

The question then recurred on Mr. Woodfin's motion.

Mr. Satterthwaite moved to postpone the further consideration of the subject until the 25th day of January next, at 12 o'clock, M.

Pending the consideration of this motion, (Mr. Satterthwaite in the chair,)

Mr. Graham introduced the following resolution, which was unanimously adopted :

*Resolved*, That the thanks of this Convention are due, and hereby cordially tendered to Hon. Weldon N. Edwards, President thereof, for the dignity and urbanity with which he has presided over its deliberations.

Mr. Biggs then arose in his seat and tendered his resignation as a member of this Convention, to take effect on the 12th of January next, and his resignation was received.

Mr. Biggs then offered a resolution for a writ of election on the 12th of January next, to fill the vacancy created by his resignation, and it was adopted.

Mr. Badger moved an adjournment.



Mr. Spruill, of Bertie, moved a call of the House, and the motion was agreed to.

Mr. Badger urged his motion as having precedence over all other questions, and the President so decided.

Mr. Badger asked the yeas and nays on his motion, which were ordered, and resulted, yeas 25, nays 50, as follows:

YEAS—Messrs. Atkinson, Badger, Barnes, Battle of Edgecombe, Battle of Wake, Brodnax, Calloway, Dickson, Foy, Graham, Holden, Holmes, Johnston, Manning, Meares, Osborne, Rhodes, Ruffin, Satterthwaite, Sprouse, Strange, Strong, Thomas of Carteret, Williamson and Wooten—25.

NAYS—Messrs. Armfield, Arrington, Batchelor, Berry, Biggs, Bond, Brown, Bryson, Caldwell of Rowan, Cannon, Christian, Cunningham, Darden, Dick, Dillard, Douthitt, Durham, Ferebee, Foster of Randolph, Gilmer, Gorrell, Hamlin, Hargrove, Howard, Jones of Caldwell, Jones of Rowan, Joyce, Long, Lyon, Mebane, Merritt, Moseley, Myers, Phifer, Rayner, Reid, Royster, Schenck, Setzer, Shipp, Smith of Halifax, Smith of Johnston, Speed, Spruill of Bertie, Thompson, Thornton, Turner, Williams, Wilson and Woodfin—50.

The hour having arrived, the Convention took a recess until 4 o'clock.

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#### AFTERNOON SESSION.

In pursuance of the motion adopted before the recess to-day, a call of the House was had, when the following gentlemen answered to their names:

Messrs. Armfield, Arrington, Badger, Batchelor, Battle of Edgecombe, Battle of Wake, Berry, Biggs, Brodnax, Bryson, Caldwell of Rowan, Cannon, Cunningham, Dick, Dickson, Dillard, Durham, Edwards, Ferebee, Foy, Gilmer, Gorrell, Graham, Hargrove, Holden, Jones of Rowan, Joyce, Long, Lyon, Meares, Mebane, Mitchell, Moseley, Phifer, Rayner, Reid, Rhodes, Royster, Ruffin, Smith of Halifax, Smith of Johnston, Smith of Macon, Speed, Sprouse, Strange, Strong,

Thomas of Carteret, Thomas of Jackson, Thompson, Thornton, Warren, Williams, Wilson and Woodfin—54.

There being no quorum present,

Mr. Graham moved that the Convention do now adjourn, on which the yeas and nays were ordered, on motion of Mr. Woodfin, and resulted, yeas 20, nays 29, as follows:

YEAS—Messrs. Badger, Battle of Edgecombe, Battle of Wake, Berry, Cunningham, Dickson, Durham, Foy, Graham, Holden, Mebane, Rhodes, Ruffin, Smith of Johnston, Smith of Macon, Speed, Sprouse, Strange, Strong and Thomas of Carteret—20.

NAYS—Messrs. Armfield, Arrington, Batchelor, Biggs, Brodnax, Caldwell of Rowan, Cannon, Dick, Dillard, Ferebec, Gilmer, Gorrell, Hargrove, Jones of Rowan, Joyce, Long, Lyon, Meares, Moseley, Phifer, Rayner, Reid, Royster, Thomas of Jackson, Thompson, Thornton, Williams, Wilson and Woodfin—29.

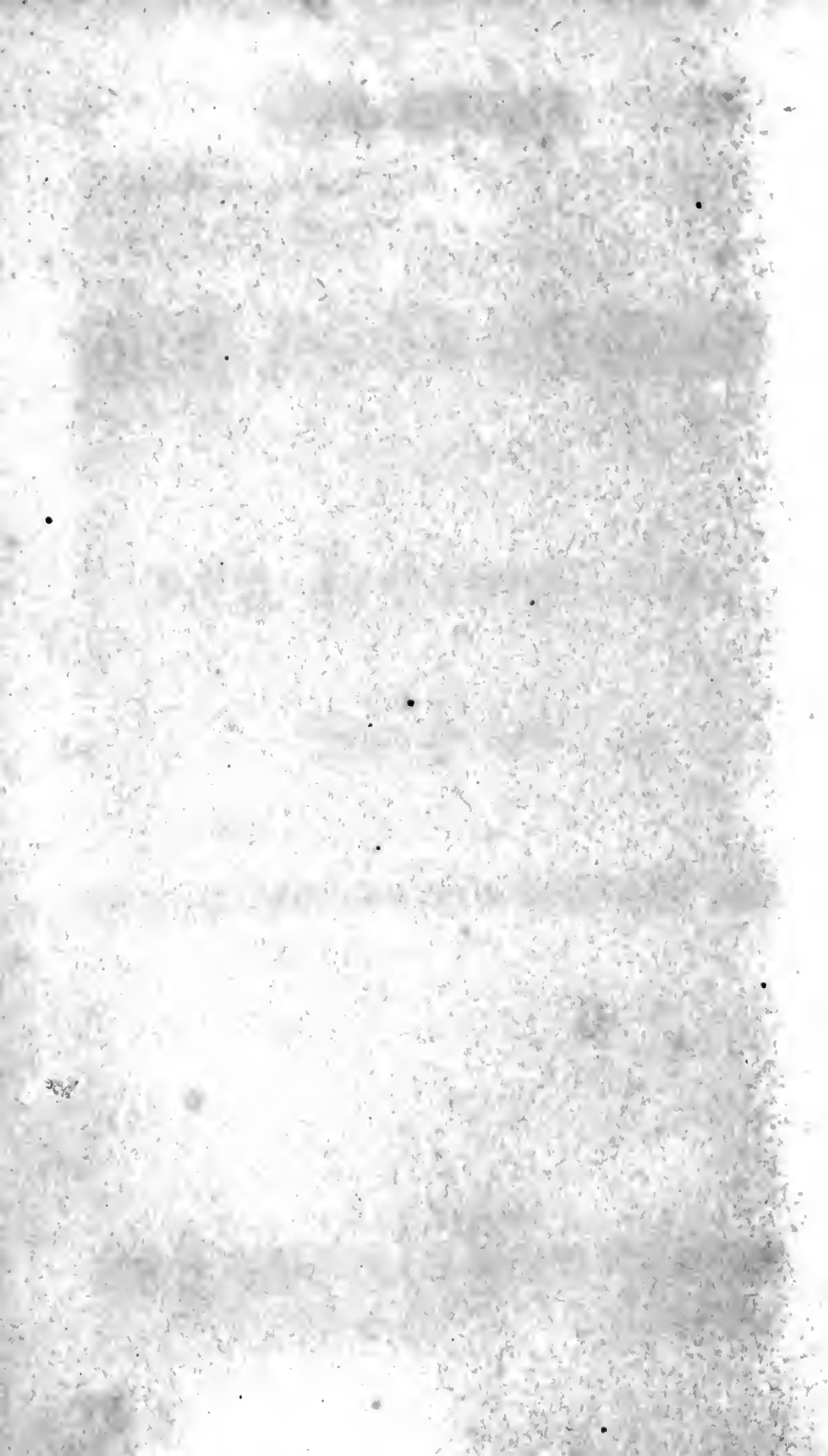
There still being no quorum voting,

Mr. Speed moved that the Convention do now adjourn, in pursuance of the resolution heretofore adopted.

Mr. Meares moved to amend by taking a recess until this evening at 7 o'clock, and it was not agreed to.

The motion of Mr. Speed was then adopted, and the Convention adjourned to 12 o'clock, January 20th, 1862.







**JOURNAL**  
**OF**  
**THE CONVENTION**  
**OF THE PEOPLE OF**  
**NORTH CAROLINA.**

**Third Session.**

**HELD IN JANUARY AND FEBRUARY, 1862.**

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**RALEIGH :**  
**JNO. W. SYME, PRINTER TO THE CONVENTION.**  
**1862.**

# JOURNAL

OF THE

## STATE CONVENTION.

THIRD SESSION. 1862.

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IN CONVENTION, MONDAY, January 20, 1862.

Pursuant to adjournment, the Convention met this day, the President in the Chair.

On motion of Mr. Satterthwaite, the roll of members was called in order to ascertain whether a quorum was present.

The following members answered to their names :

Messrs. Allison, Battle of Wake, Berry, Brown, Bryson, Caldwell of Rowan, Darden, Dick, Dickson, Douthitt, Durham, Edwards, Foster of Randolph, Gilmer, Gorrell, Graham, Hargrove, Headen, Hicks, Holden, Jones of Currituck, Jones of Rowan, Kittrell, Leak of Richmond, Long, Manning, McNeill of Cumberland, Meares, Mitchell, Pettigrew, Phifer, Rayner, Rhodes, Satterthwaite, Schenck, Smith of Johnston, Smith of Macon, Speed, Strange, Thornton, Warren, Williamson, Wilson, Woodfin, Wooten—45.

No quorum being present, on motion of Mr. Brown, the Convention adjourned until to-morrow morning, 10 o'clock.

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IN CONVENTION, TUESDAY, January 21, 1862.

The President took the chair and called the Convention to order.

The journal of the last day of the last session, and the journal of yesterday, were read and approved.

D. W. Bagley, of Martin; G. W. Michal, of Rutherford; and D. H. Starbuck, of Forsythe, elected to fill vacancies in their respective counties, produced their credentials and took their seats in the Convention. Messrs. Michal and Starbuck were present on yesterday, but for want of a quorum their credentials were not received.

Mr. Mebane presented a petition from sundry citizens of Alamance County, asking the Convention to consider the propriety of making the Company's Shops, on the North Carolina Railroad, a terminus of the proposed Piedmont Railroad, which was read, and on his motion referred to the committee on military affairs.

Mr. Satterthwaite offered the following :

*Resolved,* That a select committee be appointed whose duty it shall be to inquire into the character, quality and quantity of the goods advertised to be sold at the Market Square, in the city of Raleigh, on the 23d inst., by J. Devereux, Major, A. Q. M.—ascertain when and in what manner the State became owner of said goods, and whether the interest of the State will not be injured by allowing said sale to take place at the time and in the manner advertised, and that said committee report at the earliest practicable moment.

On his motion, the rules were suspended and the resolution put upon its passage and agreed to.

The President announced the following as the Committee : Messrs. Satterthwaite, Woodfin, Battle of Edgecombe, Pettigrew and Miller.

Mr. Brown introduced an ordinance, providing for the payment of bounty to the North Carolina Volunteers, who may re-enlist for the term of two years or the war, in the service of the Confederate States, which passed the first reading and was referred to the committee on military affairs.

Mr. Battle, of Wake, moved that the charter of the Chatham Railroad Company be printed, and it was not agreed to.

The unfinished business, being the motion of Mr. Satterthwaite to postpone until the 25th of January, the motion of Mr. Woodfin to proceed to the consideration of the ordinance providing for the issue of Treasury notes, was then taken up.



Mr. Satterthwaite, by consent, withdrew his motion, and the question recurred on the motion of Mr. Woodfin, which was agreed to.

Mr. Ruffin moved to refer the ordinance to the committee on finance, but at the suggestion of Mr. Badger, the motion was changed to a reference to a select committee.

Pending the consideration of this motion, Mr. Speed asked and obtained leave to offer the following resolution :

*Resolved*, That His Excellency the Governor be requested to furnish this Convention any information he may have in relation to the fleet of the enemy said to be in the Sounds and at the inlets of North Carolina, and to make such suggestions in relation thereto as he may deem necessary for the action of this Convention ; which was agreed to.

The consideration of Mr. Ruffin's motion was then resumed, but was again suspended to receive a communication from His Excellency the Governor, in response to a resolution of the Convention.

And then, on motion of Mr. Foster, of Randolph, the lobbies and galleries were cleared, and the Convention proceeded to sit with closed doors.

After remaining some time in secret session, the doors were opened, when,

Mr. Smith of Halifax, introduced an ordinance to authorize the Governor to embody a portion of the Militia of the State, which passed its first reading.

On motion, the rules were suspended and the ordinance read the second time.

Mr. Badger moved to amend by striking out the words, "during the existing war," and inserting, "for the emergency mentioned in his message of to-day," and it was agreed to.

The ordinance was further amended so as to make it conform to the above amendment, and as thus amended, it passed the second and third readings and was ordered to be enrolled.

On motion, leave of absence for an indefinite time was granted to Messrs. Jones, of Currituck, Pettigrew, Satterthwaite, Speed and Warren.

On motion of Mr. Rayner, the President was authorized to fill the vacancy in the Committee on finance, caused by the resignation of Judge Biggs.

Mr. Strong, from the Committee on Enrollments, reported the Ordinance to empower the Governor to embody a portion of the militia for the defence of the State, as correctly enrolled, and the same was duly ratified.

Then, on motion of Mr. Badger, the Convention adjourned to 10 o'clock to-morrow morning.

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### IN CONVENTION, WEDNESDAY, January 22, 1862.

The President took the Chair, and called the Convention to order. Prayer by Rev. Dr. Mason, of the P. E. Church.

The journal of yesterday was read and approved.

The President announced that Mr. Calloway was appointed on the Committee on Finance, in place of Judge Biggs.

Mr. Strange introduced an ordinance to receive ten thousand volunteers for the defence of North Carolina, which passed its first reading, and on his motion, was referred to the committee on military affairs.

The unfinished business of yesterday, being the motion to refer the ordinance of Mr. Woodfin to a select committee, was then taken up by the Convention.

Pending the consideration of which, the hour of 12 arrived, being the hour set apart for the consideration of the ordinance to incorporate the Piedmont Rail Road Company. On motion of Mr. Gilmer, the same was postponed until to-morrow at 11 o'clock, and made the special order for that hour.

Mr. Rayner moved that the ordinance in relation to the Coal-fields Railroad be made the special order for eleven o'clock to-morrow. Not agreed to.

Mr. Howard moved that it be made the special order at half-past 10 o'clock to-morrow. Not agreed to.

On motion of Mr. Badger, said ordinance was made the special order for 12 o'clock to-morrow.

The Convention then resumed the consideration of the question pending when the hour for the special order arrived, and so continued until the recess.

4 O'CLOCK, P. M.

The Convention re-assembled, and proceeded with the consideration of the unfinished business of the morning, the question being the motion to refer. Mr. Calloway asked for the ayes and noes, which being ordered, resulted as follows—ayes 19, noes 53:

AYES—Messrs. Barnes, Battle of Edgecombe, Battle of Wake, Berry, Bunting, Caldwell of Rowan, Calloway, Cunningham, Dickson, Foster of Ashe, Headen, Holden, Holmes, Leak of Richmond, Rhodes, Ruffin, Sprouse, Starbuck and Strange—19.

NOES—Messrs. Allison, Batchelor, Bogle, Brodnax, Brown, Bryson, Cannon, Dillard, Douthitt, Durham, Edwards, Eller, Fuller, Gilmer, Gorrell, Hamlin, Hargrove, Hearne, Hicks, Howard, Jones of Rowan, Joyce, Kelly, Kittrell, Long, Lyon, Manning, McDowell of Burke, McNeill of Cumberland, Mebane, Michal, Miller, Mitchell, Myers, Rayner, Reid, Royster, Sanders, Schenck, Setzer, Shipp, Smith of Halifax, Smith of Johnston, Smith of Macon, Spruill of Tyrrell, Strong, Sutherland, Thompson, Thornton, Williamson, Wilson, Woodfin and Wooten—53.

The question now recurring on the passage of the ordinance its second reading, Mr. Woodfin offered the following amendment:

Strike out the second section, and insert in lieu thereof as follows:

That the said ordinance be so amended as to provide and require that of the whole of the Treasury notes, hereafter to be issued under the provisions of said ordinance, one-half shall be of the denomination of five dollars; one fourth, of the denomination of ten dollars, and the remaining fourth of the denomination of twenty dollars, and in the course of the issuing of said

notes, the same relative proportions shall be observed, as near as may be. Which was agreed to.

Mr. Woodfin also offered the following proviso, to come in at the end of the first section :

*Provided*, That the ordinance shall not operate on the notes issued before the passage of this ordinance ; which was agreed to.

As amended, the ordinance then passed its second reading. The rules, on motion, were suspended, and the ordinance read the third time. Mr. Headen called for the ayes and noes, which being ordered, resulted as follows—ayes 53, noes 13 :

AYES—Messrs. Allison, Bagley, Batchelor, Bogle, Brodnax, Brown, Bryson, Caldwell, Cannon, Dick, Dillard, Douthitt, Durham, Edwards, Eller, Foster of Ashe, Foster of Randolph, Fuller, Gilmer, Gorrell, Hamlin, Hargrove, Hearne, Headen, Hicks, Holden, Howard, Jones of Rowan, Joyce, Kittrell, Long, Lyon, Manning, McDowell of Burke, McNeill of Cumberland, Meares, Mebane, Michal, Miller, Myers, Phifer, Rayner, Reid, Royster, Sanders, Schenck, Setzer, Shipp, Smith of Halifax, Smith of Johnston, Smith of Macon, Sprouse, Spruill of Tyrrell, Sutherland, Thornton, Williamson, Wilson, Woodfin and Wooten—59.

NOES—Messrs. Barnes, Battle of Edgecombe, Battle of Wake, Bunting, Calloway, Dickson, Graham, Kelly, Leak of Richmond, Rhodes, Ruffin, Starbuck and Strange—13.

So the ordinance passed its third reading, and was ordered to be enrolled.

On motion of Mr. Brown, the Convention adjourned.

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### IN CONVENTION, THURSDAY, January 23, 1862.

The Convention met, the President in the chair.

The journal of yesterday was read and approved.

J. M. Strong, delegate from Mecklenburg, and M. J. McDuffie, delegate from Cumberland, elected to fill vacancies in their respective counties, presented their credentials and took their seats in the Convention.

Mr. Miller presented a memorial from the officers of the 34th Regiment N. C. Volunteers, upon the subject of ardent spirits and its deleterious effects on the efficiency of the army, which was read, and on motion of Mr. Leak, of Richmond, was referred to a select committee.

Mr. Foster, of Ashe, presented the proceedings of the County Court of his county, in relation to the 4th section of the revenue act of the last General Assembly, which, on motion of Mr. Graham, was referred to the committee on Finance.

Mr. Houston presented similar proceedings of the County Court of Union County, which were referred to the same committee.

Mr. Long, from the committee on Mr. Satterthwaite's resolution concerning the sale of certain goods belonging to the State, made a report, recommending that the sale be allowed to go on, in which report the Convention concurred.

Mr. Strong offered the following, which was agreed to, under a suspension of the rules :

*Resolved*, That the Secretary of State be authorized to allow W. B. Gulick to use, in or out of the office, at his discretion, the census returns of 1860, for the space of two months, or until they shall be called for by an authorized agent of the Confederate States, provided the same shall not be removed from the city of Raleigh.

On motion of Mr. Ruffin, the President was authorized to fill the vacancy on the Judicial Committee, caused by the resignation of Judge Biggs.

Mr. Smith, of Macon, introduced an ordinance to provide for the completion of the Western North Carolina Railroad, and for other purposes, which passed its first reading, and on his motion, was referred to a select committee.

The special order was now called for, being the ordinance to authorize the construction of the Piedmont Railroad.

Mr. Strong moved to postpone the same until Thursday next, and make it the special order for that day at 11 o'clock.

On this question Mr. Reid asked for the ayes and noes, which being ordered, resulted in the affirmative as follows:

AYES—Messrs. Allison, Bagley, Barnes, Batchelor, Battle of Edgecombe, Battle of Wake, Berry, Brown, Bryson, Bunting, Caldwell, Calloway, Cannon, Dillard, Edwards, Ferebee, Fuller, Graham, Hargrove, Hearne, Headen, Holden, Holmes, Howard, Kelly, Leak of Anson, Leak of Richmond, Lyon, McDowell of Burke, McDuffie, McNeill of Cumberland, Meares, Mebane, Merritt, Moseley, Rayner, Rhodes, Royster, Ruffin, Smith of Halifax, Strange, Strong of Wayne, Sutherland, Thornton, Williamson and Wooten—46.

NOES—Messrs. Brodnax, Christian, Councill, Cunningham, Dick, Douthitt, Durham, Eller, Foster of Ashe, Gilmer, Gorrell, Hicks, Houston, Johnston, Jones of Caldwell, Jones of Rowan, Joyce, Kittrell, Long, Manning, Michal, Miller, Mitchell, Myers, Phifer, Reid, Schenck, Setzer, Shipp, Starbuck, Strong of Mecklenburg, Wilson and Woodfin—33.

The ordinance concerning the Chatham Coalfields Railroad was then taken up, when

Mr. Rayner moved that the consideration of the same be postponed until Thursday next, and made the special order for that day at 11 o'clock.

Pending the consideration of this motion, by general consent, Mr. Ruffin moved that the order of the Convention for afternoon sessions be suspended during the present and ensuing weeks, and it was agreed to.

Mr. Rayner then withdrew his motion for postponing the consideration of the Chatham Railroad ordinance.

Mr. Ruffin moved that the Convention do now adjourn, on which the ayes and noes were ordered, on motion of Mr. Gilmer, and resulted in the negative, as follows:

AYES—Messrs. Allison, Barnes, Battle of Edgecombe, Battle of Wake, Brodnax, Bunting, Cannon, Dickson, Dillard, Edwards, Fuller, Gorrell, Holden, Holmes, Howard, Johnston, Jones of Rowan, Kelly, McDuffie, McNeill of Cumberland, Mebane, Mitchell, Moseley, Rayner, Reid, Rhodes, Royster, Ruffin, Setzer, Smith of Halifax, Strange, Strong of Wayne, Sutherland, Thornton and Wooten—35.

NOES—Messrs. Badger, Bagley, Batchelor, Berry, Bogle, Brown, Bryson, Caldwell, Calloway, Christian, Councill, Cunningham, Dick, Douthitt, Durham, Eller, Ferebee, Foster of Ashe, Gilmer, Graham, Hamlin, Hargrove, Hearne, Headen, Hicks, Houston, Jones of Caldwell, Joyce, Kittrell, Leak of Anson, Leak of Richmond, Long, Lyon, Manning, McDowell of Burke, Meares, Merritt, Michal, Myers, Smith of Macon, Starbuck, Strong of Mecklenburg, Williamson, Wilson and Woodfin—46.

Mr. Michal now moved to postpone the consideration of the ordinance and make it the order of the day for Monday next, at 11 o'clock, and it was agreed to.

And then, on motion of Mr. Badger, the Convention adjourned.

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IN CONVENTION, FRIDAY, January 24, 1862.

The President took the chair and called the Convention to order. Prayer by Rev. J. G. Whitfield, of the Methodist Protestant Church.

The journal of yesterday was read and approved.

The President announced the following committees:

*On memorial of officers of the 34th Regiment*—Messrs. Leak of Richmond, Miller, McDuffie, Sprouse and Bagley.

*On ordinance to complete the Western N. C. Railroad*—Messrs. Smith of Macon, Mebane, Starbuck, Strong of Mecklenburg, and Hargrove.

On the Judicial Committee to fill vacancy, Mr. Gorrell.

The President laid before the Convention a letter from E. W. Ward, resigning his seat as delegate from Onslow. The resignation was accepted, and on motion of Mr. Woodfin, an election ordered to fill the vacancy on the 3rd day of February.

Mr. Foster, of Ashe, presented the proceedings of the County Court of his county, on the "Stay Law," which, on motion of Mr. Mitchell, was referred to the Judiciary Committee.

Mr. Hicks introduced an ordinance in relation to certain disloyal citizens of Madison County, which passed its first reading.

Mr. Calloway presented a resolution in relation to the Confederate Tax, which, the rules having been suspended, was referred to the committee on that subject.

The ordinance to charter the Chatham Railroad Company was then taken up as the unfinished business of yesterday, and put on its second reading, by sections.

The 4th section being read, on motion of Mr. Manning, the first "shall" in the 6th line was stricken out and "may" inserted, and in the 8th line the words "bearing interest at the rate of six per cent. per annum."

The whole ordinance having been read,

Mr. Strange moved that the subject be indefinitely postponed, on which motion the ayes and noes were ordered, on motion of Mr. Holmes, and resulted in the negative, as follows:

AYES—Messrs. Bagley, Battle of Edgecombe, Bunting, Caldwell, Cunningham, Darden, Dickson, Dillard, Fuller, Greenlee, Hargrove, Holmes, Jones of Rowan, Kelly, Lyon, McDowell of Burke, McDowell of Madison, Michal, Moseley, Phifer, Rhodes, Royster, Sanders, Setzer, Strange, Strong of Wayne, Sutherland, Thompson, Thornton and Williams—30.

NOES—Messrs. Allison, Badger, Barnes, Batchelor, Battle of Wake, Berry, Brodnax, Brown, Bryson, Calloway, Cannon, Christian, Council, Dick, Douthitt, Durham, Edwards, Eller, Ferebee, Gilmer, Gorrell, Graham, Hamlin, Headen, Hicks, Holden, Houston, Johnston, Jones of Caldwell, Joyce, Kittrell, Leak of Anson, Leak of Richmond, Long, Manning, McDuffie, McNeill of Cumberland, Meares, Mebane, Merritt, Miller, Mitchell, Reid, Ruffin, Shipp, Smith of Halifax, Smith of Johnston, Smith of Macon, Starbuck, Strong of Mecklenburg, Williamson, Wilson, Woodfin and Wooten—54.

The question was then put and the ordinance passed the second reading.

Mr. Badger introduced an ordinance to repeal parts of an act of the General Assembly, entitled "an act to alter the



jurisdiction of the courts and the rules of pleading therein," commonly known as the Stay Law, which passed its first reading.

And then, on motion of Mr. Badger, the Convention adjourned.

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### IN CONVENTION, SATURDAY, January 25. 1862.

The President took the chair and called the Convention to order.

The journal of yesterday was read and approved.

Mr. Graham presented to the Convention a document from the office of the Comptroller of State, embodying certain statistical information, which, on his motion, was ordered to be printed.

Mr. Darden presented a memorial from citizens of Greene county upon the subject of the distillation of spirituous liquors, which, on his motion, was referred to the committee on Distilleries.

Mr. Smith, of Johnston, introduced an ordinance to amend the 24th section of the militia law passed by the last General Assembly, which passed its first reading.

Mr. Rayner, from the committee of Finance, to whom was referred the ordinance to repeal the 4th section of the Revenue Law of the last General Assembly, and resolutions of Justices of the Peace of several counties in relation to the same subject, reported back the ordinance and recommended its passage.

Business on the calendar was then regularly taken up.

The report of the committee on amendments to the Bill of Rights was, on motion of Mr. Ellison, postponed until Thursday next, and made the special order for 11 o'clock.

Mr. Strong, from the committee on Enrollments, reported as correctly enrolled, the Ordinance to perfect an ordinance in relation to Treasury notes, and for other purposes; also, a Resolution to allow Wm. B. Gulick to use, on certain conditions, the Census returns of 1860, and the same were ratified in open Convention.

Mr. Headen moved to take up for consideration, the ordinance to encourage the manufacture of Salt in the interior of the State, and it was not agreed to.

Mr. Howard, from the Executive Committee, reported back the ordinance to create the office of Lieutenant-Governor, with a substitute, which passed its first reading and was made the special order for Wednesday next, at 11 o'clock.

Mr. Hicks moved to take up and consider his ordinance in relation to certain disloyal persons in Madison County, and it was agreed to.

The lobbies and galleries were cleared, and the Convention proceeded to sit with closed doors.

After remaining some time in secret session, the doors were again opened, when

Mr. Graham gave notice of certain amendments which he would offer to the ordinance introduced by Mr. Badger, in relation to the Act of the General Assembly, commonly known as the Stay Law, which amendments were read for information, and ordered to be printed.

The ordinance to charter the Chatham Railroad Company was then taken up and read the third time.

Mr. Jones, of Rowan, moved that it be postponed until Wednesday next, and made the special order for 11 o'clock on that day.

Mr. Howard moved to postpone it until Wednesday next, 12 o'clock, which was not agreed to.

The question was then put on the motion of Mr. Jones, of Rowan, and it was adopted.

Mr. Satterthwaite gave notice that he would offer an amendment to the ordinance, providing that the stock of the Road should be pledged for the redemption of the Treasury notes proposed to be borrowed.

On motion of Mr. Badger, the ordinance in relation to the Stay Law, was made the special order for Wednesday next at 12 o'clock.

The resolution of Mr. Thomas, of Jackson, in regard to the Western North Carolina Railroad, was, on motion, referred to the committee on that subject.

Mr. Ruffin offered the following, which was put on its passage, under a suspension of the rules, and adopted :

*Resolved*, That in aid of the Revenue, a reasonable tax ought to be levied on the distillation of ardent spirits, or on the grain used for distillation, and that the committee on Finance enquire as to the proper mode and amount of such tax, and report an ordinance for that purpose.

Mr. Mitchell offered an ordinance on the same subject, which passed the first reading, and was referred to the committee on Finance.

The ordinance to ratify and confirm the Acts and Judicial proceedings of the Superior Courts held by His Honor, Judge French, in the counties of Henderson, Buncombe, Madison and Yancey, was read the second time and passed the second reading.

On motion of Mr. Woodfin, the ordinance was read the third time, passed, and ordered to be enrolled.

On motion of Mr. Badger, the Convention adjourned.

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#### IN CONVENTION, MONDAY, January 27, 1862.

The Convention met, the President in the chair. Prayer by Rev. J. M. Atkinson, of the Presbyterian Church.

The journal of Saturday was read and approved.

Mr. Long presented a petition from citizens of Randolph county, asking that the Convention would not modify nor repeal the act of the General Assembly, commonly known as the Stay Law, which, on his motion, was referred to the committee on the Judiciary.

Mr. Ellison introduced an ordinance to incorporate the Washington and Tarborough Railroad Company, which passed its first reading.

The ordinance heretofore introduced by Mr. Smith, of Johnston, to amend the 24th section of the militia law, passed at the last General Assembly, was read the second time and referred to the committee on Military Affairs.

Mr. Woodfin moved to reconsider the vote by which the Convention passed the ordinance to ratify the acts and judicial proceedings of certain courts; his object being to offer certain

amendments in order to perfect the same. It was agreed to, and Mr. Woodfin moved to insert "Yancey," after the word "Madison," in the second section, and the motion prevailed. He moved further to amend by inserting the words, "of Yancey county on the fifth Monday after the fourth Monday in September," which amendment was agreed to, and the ordinance, as thus amended, was passed and ordered to be enrolled.

The special order for 11 o'clock, was then taken up, being the ordinance to amend the Bill of Rights, and after some discussion thereon, on motion of Mr. Ruffin, was recommitted, with instructions to report an ordinance in conformity with the report from the committee.

The special order for 12 o'clock, being the ordinance to amend the Stay Law, was then taken up, and, on motion of Mr. Badger, was referred to the Judicial Committee.

Mr. Starbuck, by consent, offered an amendment to the ordinance, which was read for information, and referred to the same committee.

The amendments heretofore proposed by Mr. Graham, were, on his motion, similarly referred.

The report of the committee on Finance, recommending the passage of the ordinance to repeal the 4th section of the Revenue Act, passed by the late General Assembly, was then taken up on its second reading.

The question was put on its passage upon the second reading, on which the ayes and noes were ordered, on motion of Mr. Thomas of Jackson, and resulted in the affirmative, as follows:

AYES—Messrs. Allison, Atkinson, Badger, Bagley, Bachelor, Battle of Wake, Berry, Bogle, Brodnax, Brown, Bryson, Bunting, Caldwell, Calloway, Cannon, Christian, Councill, Cunningham, Darden, Dick, Dickson, Dillard, Douthitt, Durham, Edwards, Eller, Ferebee, Foster of Ashe, Fuller, Gorrell, Graham, Hamlin, Hearne, Headen, Hicks, Holden, Holmes, Houston, Johnston, Jones of Caldwell, Jones of Rowan, Joyce, Kittrell, Leak of Richmond, Long, Manning, McDuffie, McNeill of Cumberland, McNeill of Harnett, Meares, Merritt, Miller, Mitchell, Moseley, Phifer, Rayner, Reid, Rhodes, Ruffin, San-

ders, Satterthwaite, Setzer, Smith of Halifax, Smith of Johnston, Smith of Macon, Sprouse, Spruill of Tyrrell, Starbuck, Strong of Mecklenburg, Thornton, Warren, Williamson, Wilson and Wooten—75.

NOES—Messrs. Barnes, Greenlee, Hargrove, Kelly, Leak of Anson, Lyon, McDowell of Burke, McDowell of Madison, Michal, Penland, Strong of Wayne, Sutherland, Thomas of Jackson, and Woodfin—14.

On motion of Mr. Badger, the rules were suspended, and the ordinance was read the third time, passed, and ordered to be enrolled.

The President laid before the Convention a communication from His Excellency, the Governor, received through the hands of Col. Spier Whitaker, aid to the Governor, transmitting a letter from the Secretary of War in regard to certain bonds of the State of North Carolina held by the United States, for the benefit of Indians loyal to the Confederate States, recommending that the State pay the amount to the Confederate States to insure the proper application of the same, which, on motion of Mr. Graham, was referred to a select committee.

The President also laid before the Convention a letter from Hon. A. H. Arrington, member elect to the House of Representatives of the Confederate Congress, resigning his seat in the Convention as delegate from Nash, to take effect on the 11th proximo, which was accepted, and on motion of Mr. Satterthwaite, it was ordered that a writ of election be issued to fill the vacancy on the 11th February.

Then, on motion of Mr. Badger, the Convention adjourned.

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#### IN CONVENTION, TUESDAY, January 28, 1862.

The Convention met, the President in the chair. Prayer by Rev. Dr. Mason, of the P. E. Church.

The journal of yesterday was read and approved.

The President announced the following committee:

*On the subject embraced in the Message of the Governor of yesterday*—Messrs. Graham, Thornton, Dick, Moseley and Council.

Mr. Holden, from the minority of the committee on the modes of amending the Constitution, presented a report signed by himself and Mr. Thompson, in favor of retaining in the Constitution the legislative mode of amendment, which, on motion of Mr. Satterthwaite, was ordered to be printed, together with the report of the majority, made at the last session of the Convention.

Mr. Ellison, from the committee on the Bill of Rights, in obedience to the instruction of the Convention, on yesterday, reported an ordinance to amend the Bill of Rights, which passed its first reading.

Mr. Ellison offered the following:

*Resolved*, That the committee on Military Affairs be instructed to inquire into the expediency of paying to Capt. C. P. Jones' company of artillery, of Beaufort county, and all such other companies as were received directly into the service of the Confederate States, the same bounty authorized to be paid to volunteers received by this State and report by ordinance or otherwise.

On motion, the rules were suspended, and the resolution was taken up and agreed to.

Mr. Ruffin, from the Judicial Committee, to whom were referred an ordinance and several proposed amendments thereto, touching the act of the General Assembly, commonly known as the "Stay Law," reported said ordinance back to the Convention, with several amendments proposed by the committee, and recommended its passage.

Mr. Battle, of Wake, gave notice of an amendment to said ordinance, which was ordered to be printed.

Mr. Ruffin now moved that the subject be made the special order after to-morrow at 12 o'clock, which was agreed to.

Mr. Leak, of Richmond, from the committee on the memorial of the 34th Regiment N. C. Volunteers, made a report, accompanied with an ordinance upon the subject of the distillation of spirituous liquors, which passed its first reading.

On motion of Mr. McDuffie, the report was ordered to be printed.

The special order was now called for, being the ordinance in connection with the Chatham Railroad, on its third reading.

Mr. Manning moved to strike out the 4th, 5th and 6th sections, and insert in lieu thereof, a substitute, the purpose of which was to perfect the same, which said amendments were agreed to.

On motion of Mr. Graham, the following section was added: That the said railroad may be constructed with *termini* at any point or points in the said Coalfield region that the stockholders in said company may agree upon, with the approbation of the Board of Internal Improvements.

Mr. Manning, at the suggestion of Mr. Ruffin, moved the following amendment, to come in at the end of the 4th section: "No addition to the deed of mortgage heretofore required to be executed and delivered by said railroad company to the State of North Carolina, shall, by this ordinance have a lien upon the estate, both real and personal, of said company, which they may now have or hereafter acquire to secure the principal and interest of the bonds of the State, authorized to be issued," which was agreed to.

Mr. Battle, of Wake, moved to amend as follows: "That the corporate authorities of incorporated towns subscribing to the capital stock of the Chatham Railroad Company, in order to provide for the payment of their subscription, and of the principal and interest of bonds for that purpose by them issued, shall have authority to lay and collect taxes, from all subjects which, under the charters of said terms, are taxable;" which was agreed to.

The question now recurring upon the passage of the ordinance as amended, its third reading,

Mr. Strong, of Wayne, called for the ayes and noes, which being ordered, resulted as follows—ayes 58, noes 37:

AYES—Messrs. Allison, Armfield, Arrington, Badger, Bagley, Barnes, Batchelor, Battle of Wake, Bogle, Brodnax, Bryson, Caldwell, Calloway, Christian, Councill, Dick, Durham,

Edwards, Eller, Ferebee, Gilmer, Gorrell, Graham, Hamlin, Hearne, Headen, Hicks, Holden, Houston, Johnston, Jones of Caldwell, Jones of Rowan, Joyce, Kittrell, Leak of Anson, Leak of Richmond, Long, Manning, McDowell of Madison, McDuffie, McNeill of Harnett, Meares, Mebane, Merritt, Miller, Myers, Phifer, Reid, Rhodes, Ruffin, Satterthwaite, Setzer, Smith of Halifax, Smith of Macon, Starbuck, Strong of Mecklenburg, Thompson, Warren, Wilson and Woodfin—58.

NOES—Messrs. Berry, Brown, Bunting, Cannon, Cunningham, Darden, Dickson, Dillard, Douthitt, Ellison, Fuller, Greenlee, Hargrove, Holmes, Kelly, Lyon, McDowell of Burke, McNeill of Cumberland, Michal, Mitchell, Moseley, Penland, Rayner, Sanders, Smith of Johnston, Strange, Strong of Wayne, Sutherland, Thornton, Williams, Williamson and Wooten—37.

The ordinance was then ordered to be enrolled.

On motion of Mr. Badger, the title of the ordinance was declared to be as follows: "An ordinance in addition to, and amendment of, an act of the General Assembly, ratified the 15th of February, 1861, entitled 'An act to incorporate the Chatham Railroad Company,' and to repeal an act supplemental thereto, ratified the 23rd of February, 1861."

Then, on motion of Mr. Badger, the Convention adjourned.

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### IN CONVENTION, WEDNESDAY, January 29, 1862.

The President took the Chair, and called the Convention to order. Prayer by Rev. Thomas E. Skinner, of the Baptist Church.

The journal of yesterday was read and approved.

Mr. Rayner offered the following:

*Resolved*, That the Executive Committee be instructed to inquire into the propriety of so amending the Constitution of the State as to dispense with the Executive Council.

Mr. Christian introduced an ordinance to repeal the 9th section of the Cheraw and Coalfields Charter, as amended by the Legislature of 1861, which passed the first reading.



Mr. Michal offered the following:

*Resolved*, That from and after to-day, no ordinance or resolution shall be introduced for the action of the Convention, except it be a proposition to change or amend the Constitution. Lies over one day.

Mr. Smith, of Johnston, introduced an ordinance to enforce certain penalties on the banks of the State in case they refuse to take Treasury notes of the State, which passed its first reading.

Mr. McDuffie introduced an ordinance to effect a railroad communication between Florence, S. C., and Fayetteville, N. C., which passed the first reading.

The resolution heretofore introduced for inquiry as to the propriety of exempting Clerks of the County Courts from ordinary militia duty, was then taken up and not agreed to.

Mr. McDuffie offered a resolution instructing the committee on Military Affairs to inquire into the propriety of a telegraph line between Fayetteville and Raleigh.

Mr. Reid moved to take up the ordinance to increase the salaries of the Treasurer and Comptroller, and it was agreed to.

On motion of Mr. Meares, it was amended so as to include the Secretary of State, and then, on motion of Mr. Reid, was referred to the committee on Finance.

The resolution declaring the sense of the Convention as to the establishment of a bank owned by the State, was read the second time, and, on motion of Mr. Woodfin, made the special order for Monday next at 11 o'clock.

The resolution limiting the speeches of members having been read, was, on motion of Mr. Graham, ordered to lie on the table.

Mr. Woodfin presented a petition from certain citizens of Mitchell county in regard to the location of the county seat of said county, which, on his motion, was referred to a select committee.

Mr. Schenck presented counter petitions from the same county on the same subject, which were referred to the same committee.

The resolution calling on the Governor for information in regard to the defences of the State, was read, and, on motion, ordered to lie on the table.

The President announced the following committee on the petitions from Mitchell county: Messrs. Schenck, Greenlee, Bryson, Penland and Joyce.

Mr. Strange offered a resolution to detail Col. W. J. Green's Regiment from Wise's Legion, which lies over one day.

Mr. Foster, of Randolph, moved to suspend the rules and consider the resolution at this time, and the motion prevailed.

On motion of Mr. Mebane, the resolution was laid upon the table.

Mr. Mitchell offered the following:

*Resolved*, That it be referred to the committee of Finance to inquire and report the expenditures incurred by the State in the administration of the military department of the State government since the first of April, 1861; and also report an estimate of the expenditures that will be probably incurred from now until the first day of October next, in the administration of the military department of the State; also to inquire and report the amount of the actual disbursements made in discharge of liabilities incurred in the raising, support, clothing and equipping, transporting and paying troops, and all other liabilities in connection with the military department of the State.

The resolution lies over one day, under the rules.

Mr. Starbuck offered the following:

*Resolved*, That a select committee be instructed to inquire and report to the Convention, whether persons from between the ages of forty-five and fifty years are enrolled in the militia of other States of this Confederacy; and, if not, whether section 3rd of the militia law of the last General Assembly ought not to be so modified as to exempt from enrollment all persons over forty-five years of age, in order that this State may not be required to furnish more than her proportional share of Confederate States troops.

On motion of Mr. Barnes, the rules were suspended and the resolution was then considered and agreed to.

The ordinance to provide a permanent school fund, and to equalize the distribution of the same, was read the second time, and, on motion of Mr. Satterthwaite, referred to the committee on Common Schools.

The special order, being the ordinance to provide for the office of Lieutenant Governor, was then called for.

Mr. Headen moved that it be postponed and made the special order for Friday next at 11 o'clock, and it was agreed to.

Mr. Thomas, of Jackson, introduced an ordinance to carry into effect existing laws for raising troops for local defence, which passed the first reading.

The ordinance to equalize taxation was read the second time, and, on motion of Mr. Smith, of Halifax, was laid upon the table.

The ordinance to amend and carry into effect the act of the General Assembly, entitled "An act to raise a force for the defense of the State," was read the second time, and, on motion of Mr. Thomas, of Jackson, ordered to lie on the table.

The ordinance to encourage the mining and manufacture of salt in the interior of this State was read the second time.

Mr. Sanders offered the following amendment, to come in at the end of the first section: "Except in cases of insurrection, invasion, or a requisition of troops by the President of the Confederate States," which was adopted, and the ordinance then passed the second reading.

On motion, the rules were suspended, and the ordinance passed the third reading, and was ordered to be enrolled.

The special orders of the day were now called for, the question being on the concurrence of the Convention in the amendments proposed by the Judicial committee. The first amendment was read as follows—after the words "*fieri facias*," in the 14th line, insert, "from a Court of record or a Court of equity," and it was agreed to.

The second amendment was read, as follows—insert after the word "for" in the 19th line, the words, "two-thirds thereof."

Mr. Satterthwaite moved that the whole subject be indefinitely postponed.

Pending the consideration of which, on motion of Mr. Ruffin, the Convention adjourned.

IN CONVENTION, THURSDAY, January 30, 1862.

The President took the Chair and called the Convention to order. Prayer by Rev. John S. Long, of the M. E. Church.

The journal of yesterday was read and approved.

The President announced the following Committee on the subject embraced in the resolution of Mr. Starbuck, passed on yesterday : Messrs. Starbuck, Ferebee, Dickson, Leak of Anson, and McNeill of Harnett.

Mr. Battle, of Wake, from the committee on Enrollments, reported the following ordinances as correctly enrolled, and the same were duly ratified :

An Ordinance to annul the 4th section of the Act passed by the last General Assembly, entitled, "Revenue."

An Ordinance to encourage the mining and manufacture of Salt in the interior of the State.

An Ordinance in addition to and amendment of an Act of the General Assembly, ratified the 16th day of February, 1861, entitled, "an act to incorporate the Chatham Railroad Company," and to repeal an Act supplemental thereto, ratified the 23d day of February, 1861.

Mr. Smith, of Macon, from the committee to whom was referred a resolution in regard to the Western North Carolina Railroad, reported the same back to the Convention and recommended its adoption.

Mr. Smith, of Halifax, offered the following, which lies over one day :

*Resolved*, That the committee on Military Affairs be instructed to inquire and report, in their judgment, the best means for supplying with volunteers for the war, the places of the twelve-months volunteers, when their terms of service shall expire; and that said committee also inquire into the expediency of vesting in the rank and file of the troops, to be raised for the war, the right to elect their Company officers; and in the Company officers, the right to elect the field officers; that said committee also take into consideration the subject of promotion in the regiments from this State, and report, in their judgment,

that plan of promotion which seems to be best and most just both for the service and for the officers themselves; and that said committee report by ordinance or otherwise at as early a day as practicable.

Mr. Strange introduced an ordinance to authorize the Public Treasurer to issue Treasury notes, which passed its first reading.

On his motion the rules were suspended for the purpose of putting the ordinance on its second and third readings to-day, and it passed the second reading and was read the third time.

Mr. Smith, of Halifax, moved to amend by striking out all after the word "dollars," in the 9th line, and inserting, "Provided said notes shall bear no interest," which was agreed to.

Mr. Satterthwaite moved to amend as follows: "And said notes shall be a part of, and not an addition to, the amount heretofore authorized to be issued," and it was agreed to.

The ordinance as amended, then passed the third reading, and was ordered to be enrolled.

Mr. Headen introduced an ordinance to amend the Constitution in relation to Common Schools and the University, which which passed its first reading.

Mr. Strong, of Wayne, introduced the following:

*Resolved*, That upon a proper construction of the Constitution, His Excellency, Henry T. Clark, is entitled to exercise the powers of Governor of this State until his successor shall have been elected by the people, and shall have entered upon his duties.

The resolution lies over one day, under the rules.

Mr. Sutherland offered the following, which also lies over under the rules:

*Resolved*, That the committee on Military Affairs be instructed to inquire into the propriety of exempting all Justices of the Peace over the age of forty-five years from the periodical muster drills: *Provided, however*, That they be not exempt from service in case of a call for the militia, or a draft, and that they report by ordinance or otherwise.

Mr. Thompson introduced an ordinance restoring the courts, which passed its first reading.

On motion of Mr. Mitchell, the President was authorized to add two members to the committee on Distilleries, and Messrs. Cannon and Phifer were appointed by the President.

The unfinished business of yesterday was taken up, when Mr. Reid moved that it be postponed in order to take up the special order of the day—the ordinance to charter the Piedmont Railroad Company.

Mr. Badger moved to lay that motion on the table, on which the ayes and noes were ordered, on motion of Mr. Gilmer, and resulted in the affirmative, as follows:

**AYES**—Messrs. Allison, Arrington, Badger, Bagley, Barnes, Battle of Edgecombe, Battle of Wake, Berry, Bogle, Bond, Bunting, Calloway, Cannon, Council, Darden, Dickson, Dillard, Edwards, Ellison, Foy, Fuller, Graham, Hargrove, Hearne, Holden, Holmes, Howard, Jones of Caldwell, Jones of Rowan, Kelly, Leak of Richmond, Lyon, McDowell of Burke, McDuffie, McNeill of Cumberland, McNeill of Harnett, Mebane, Michal, Mitchell, Moseley, Myers, Penland, Rayner, Rhodes, Royster, Ruffin, Sanders, Satterthwaite, Setzer, Smith of Halifax, Smith of Macon, Sprouse, Spruill of Tyrrell, Starbuck, Strange, Strong of Mecklenburg, Strong of Wayne, Thompson, Thornton, Turner, Warren, Williams, Woodfin and Wooten—64.

**NOES**—Messrs. Batchelor, Brodnax, Brown, Bryson, Caldwell, Christian, Cunningham, Dick, Douthitt, Durham, Eller, Foster of Ashe, Foster of Randolph, Gilmer, Gorrell, Greenlee, Headen, Hicks, Houston, Johnston, Joyce, Kittrell, Leak of Anson, Long, Manning, Merritt, Miller, Phifer, Reid, Schenck, Shipp, Smith of Johnston, Sutherland, Thomas of Jackson, Washington, Williamson and Wilson—36.

The Convention then resumed the consideration of the unfinished business, being the motion of Mr. Satterthwaite to postpone indefinitely the ordinance in relation to the Stay Law. After some discussion thereon,

On motion of Mr. Graham, the Convention adjourned.

## IN CONVENTION, FRIDAY, January 31, 1862.

The President took the chair and called the Convention to order. Prayer by Rev. Henry Hardie, of Presbyterian Church.

The journal of yesterday was read and approved.

The President asked leave to state to the Convention that he was in error on yesterday, in entertaining the motion of Mr. Reid, to postpone the pending question in order to proceed with another question, whilst the pending question was a motion to postpone indefinitely. This he states to prevent the error from becoming a precedent.

Mr. Calloway presented a petition from citizens of Wilkes, against the Stay Law, which was referred to the committee on that subject.

Mr. Hargrove introduced an ordinance concerning the county of Granville, which passed the first reading, and, under a suspension of the rules, was read the second time.

On motion of delegates from their respective counties, the ordinance was so amended as to apply to the counties of Gaston, Lincoln, Warren, Stanly and Person: and as thus amended, it was referred to the committee on Finance.

Mr. Bryson introduced an ordinance to allow the Planters' and Miners' Bank to establish agencies east of the Blue Ridge, which passed the first reading.

On motion of Mr. Rayner, the resolution in regard to the Council of State, was taken up and agreed to.

On motion of Mr. Christian, the ordinance heretofore introduced by him, to repeal the 9th section of the Charter of the Cheraw and Coalfields Railroad Company, was referred to a select committee.

The President announced the following to constitute the committee: Messrs. Christian, Leak of Richmond, Turner, Schenck and Manning.

The unfinished business of yesterday was now taken up, the pending question being on the motion to indefinitely postpone. After considerable debate, the question was put and resulted in the affirmative, as follows:

AYES—Messrs. Arrington, Atkinson, Bagley, Batchelor, Battle of Edgecombe, Bond, Bryson, Bunting, Christian, Cunningham, Darden, Dickson, Dillard, Durham, Ellison, Foy, Hargrove, Hicks, Holmes, Howard, Jones of Currituck, Kelly, Leak of Anson, Lyon, McDowell of Burke, McDowell of Madison, McDuffie, McNeill of Cumberland, McNeill of Harnett, Meares, Mebane, Moseley, Myers, Penland, Reid, Rhodes, Royster, Sanders, Satterthwaite, Smith of Johnston, Smith of Macon, Spruill of Tyrrell, Strange, Strong of Wayne, Sutherland, Thomas of Jackson, Thompson, Thornton, Turner, Warren, Williams, Williamston, Woodfin and Wooten—54.

NOES—Messrs. Allison, Badger, Barnes, Battle of Wake, Berry, Bogle, Brodnax, Brown, Caldwell, Calloway, Cannon, Council, Dick, Douthitt, Edwards, Eller, Ferebee, Foster of Ashe, Foster of Randolph, Gilmer, Gorrell, Graham, Green, Greenlee, Hearne, Headen, Holden, Houston, Johnston, Jones of Caldwell, Jones of Rowan, Kittrell, Leak of Richmond, Long, Manning, Michal, Miller, Mitchell, Osborne, Phifer, Rayner, Ruffin, Schenck, Setzer, Shipp, Smith of Halifax, Sprouse, Starbuck, Strong of Mecklenburg, Walton, Washington and Wilson—52.

Mr. Rayner, from the committee on Finance, to whom was referred an ordinance concerning Granville, and others counties, made a report, which, on motion, was recommitted to the committee.

Then, on motion of Mr. Badger, the Convention adjourned.

#### IN CONVENTION, SATURDAY, February 1, 1862.

The President took the chair and called the Convention to order. Prayer by Rev. Frederick FitzGerald, of the P. E. Church.

The journal of yesterday was read and approved.

Mr. Shipp presented a petition from sundry citizens of Transylvania county in relation to the boundary of said county, which was ordered to lie on the table.



Mr. Graham, from the Legislative Committee, to whom were referred sundry propositions to change the Constitution of the State in relation to the General Assembly, made a report, asking to be discharged from the further consideration of the subject, and to introduce an ordinance in relation to the Legislative Department of the Constitution, embracing the provisions, which, in the judgment of the committee, it was expedient to ordain, which said ordinance, passed its first reading, and was, on his motion, made the special order for Wednesday next at 12 o'clock.

The Convention then concurred in that part of the report which asked a discharge from the further consideration of the subjects referred to it.

On motion of Mr. Ellison, the ordinance in relation to the Bill of Rights was made the special order for Wednesday at 11½ o'clock.

Mr. Howard, from the Military Committee, reported an ordinance to raise and organize North Carolina's quota of Confederate troops, which passed its first reading, and, on his motion, was made the special order for Tuesday at 11 o'clock.

On motion of Mr. Batchelor, leave of absence was granted to Mr. Smith, of Halifax, until Monday next.

On motion of Mr. Cunningham, leave of absence was granted to Leonidas C. Edwards, Assistant Secretary, until Tuesday next.

Mr. Rayner, from the committee on Finance, to whom was referred an ordinance concerning the laying of taxes by the County Courts, reported said ordinance, which passed the first reading.

On motion, the rules were suspended and the ordinance read the second time.

Mr. Howard moved that the further consideration of the ordinance be postponed until Monday, which was not agreed to.

Mr. Ellison offered the following substitute for the ordinance reported:

That the act, entitled "Revenue," passed at the last session of the General Assembly, and ratified the 23d day of September, A. D. 1861, be amended so as to authorize and require a majority

of the Justices in each County to meet at the Court House in the several counties in the State on the first Monday after the second day of May in each and every year, unless said day is changed hereafter, by the General Assembly, and proceed to lay the taxes for county purposes, as required by law: That the act of the General Assembly, which requires the first County Courts to be held after the first day of January, in each year, to lay the County taxes, and all acts conflicting with the foregoing amendment, be and the same are hereby repealed. That if any County Court shall have already laid their taxes, the same is hereby declared to be void.

Mr. Batchelor moved to amend the amendment by striking out the word "first" before the word "Monday," in the 6th line, and insert the word, "second" in lieu thereof; which was not agreed to.

And then, on motion of Mr. Hargrove, the whole subject was re-committed to the Committee.

The order of the day was now called for, being the ordinance to incorporate the Piedmont Railroad Company, the pending question being the amendment offered by Mr. Brown to make the "Company's Shops" the point of connection with the North Carolina Railroad.

Mr. Kittrell moved to amend the amendment by striking out the words, "Company's Shops." and insert the word, "Lexington."

Pending the consideration of the subject, on motion of Mr. Rayner, the Convention adjourned.

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### IN CONVENTION, MONDAY, February 3, 1862.

The President took the chair and called the Convention to order.

The journal of Saturday was read and approved.

Mr. Howard presented a memorial from citizens of Wilson county praying the action of the Convention on the subject of the distillation of grain, which, on his motion, was ordered to be filed with other papers on that subject.

Mr. Rayner offered the following :

*Resolved*, That the committee on Finance be instructed to ascertain, as far as practicable, and report to this Convention, what course is to be pursued by the different banks of this State in regard to the Treasury notes authorized, to be issued by the General Assembly and by this Convention, as to receiving and paying out the same at their counters.

The rules were, on his motion, suspended, and the resolution adopted.

Mr. Thompson introduced an ordinance in regard to the appointment of company officers, which passed the first reading.

Mr. Graham introduced an ordinance in relation to the expenses by the Board of Claims, which passed its first reading.

Mr. Ferebee offered the following :

*Resolved*, That the Governor be requested to inform the Convention, at his earliest convenience, what arrangement has been made with the Confederate Government for auditing the claims of North Carolina against said government for expenditures incurred by said State in carrying on the war ; also, the amount of said claims allowed, if any.

On his motion, the rules were suspended and the resolution adopted.

Mr. Osborne offered the following, which was considered, under a suspension of the rules, and adopted :

*Resolved*, That the committee on the Judiciary be instructed to inquire into the expediency of allowing Executors, Guardians, Trustees and other fiduciary officers, who may now be in the army of the Confederate States, to make such schedules and other returns of their various trust funds as may be required by law to be made by such Executor, &c., returnable upon oath, taken before some regimental officer, or some Justice of the Peace in the military district in which such Executor, &c., may be situated.

Mr. McNeill, of Cumberland, offered the following :

*Resolved*, That this Convention will, on Monday, the 10th inst., at six o'clock, p. m., adjourn ; and that the President of the Convention, or, in the event of his death, the committee named

in the resolution passed by this Body, be empowered to convene this Body, before the first day of January next, if the public exigencies require it.

Mr. Rayner, from the committee on Finance, to whom was re-committed an ordinance relating to County taxes, reported the same back with a substitute.

On motion of Mr. Leak, of Richmond, the report and ordinance heretofore presented by him, in relation to the distillation of grain, were made the special order for Monday next at 11 o'clock.

Mr. Batchelor offered the following :

*Resolved*, That the committee on Finance be instructed to inquire into the expediency of so amending the Revenue Law as to provide some other mode of ascertaining the value of slaves than by the valuation of the owner or agents who lists said slaves.

Mr. McDuffie offered the following :

*Resolved*, That Adjutant General J. G. Martin be required, as far as in his power, to furnish this Convention with a list of the officers from North Carolina now in the Federal service, and that this Convention take such steps as may be deemed necessary to hand them down to posterity as infamous persons.

Mr. Michal moved that his resolution in relation to the subjects to be considered by the Convention be taken up, and it was agreed to.

Mr. Schenck moved to amend as follows: "unless the same be assented to by a majority of the Delegates present," which was agreed to.

Mr. Graham moved that the subject be laid upon the table; on which the ayes and noes were ordered, on motion of Mr. Michal, and resulted in the affirmative, as follows :

AYES—Messrs. Allison, Arrington, Atkinson, Bagley, Batchelor, Battle of Edgecombe, Battle of Wake, Berry, Bogle, Bond, Brown, Bryson, Bunting, Calloway, Cunningham, Darden, Dick, Dickson, Douthitt, Edwards, Eller, Ellison, Ferebee, Foster of Ashe, Foster of Randolph, Foy, Gilmer, Gorrell, Graham, Greenlee, Hargrove, Hearne, Headen, Howard, Johnston, Jones of Caldwell, Jones of Rowan, Joyce, Kelly, Kittrell, Leak of

Anson, Leak of Richmond, Long, Mann, Manning, McDowell of Madison, McDuffie, NeNeill of Cumberland, Meares, Mebane, Mitchell, Myers, Osborne, Penland, Rhodes, Shipp, Smith of Macon, Sprouse, Starbuck, Strange, Sutherland, Thomas of Jackson, Thornton, Turner, Walton, Warren, Washington, Wilson and Woodfin—69.

NOES—Messrs. Christian, Durham, Hicks, Jones of Currituck, Michal, Miller, Phifer, Reid, Setzer, Smith of Johnston, Strong of Wayne, Thompson, Williamson and Wooten—15.

Mr. Leak, of Richmond, offered the following :

*Resolved*, That this Convention do adjourn over on Thursday, the 17th inst., and that, in the meantime, they apply themselves to such business, and such only, as the pressing emergency of our condition suggests; subject, however, to be called together by the President whenever any — of this body shall so request; or in his absence, death, or inability, to a like call by the Principal Secretary, when so required by a like number of delegates.

Mr. Walton offered the following :

*Resolved*, That the Military Committee be required to inquire into and define the words, "or pay an equivalent," as found in the 5th section, 17th chapter of the military law passed at the second extra session of the Legislature of 1861.

On motion of Mr. Mitchell, his resolution in relation to State expenditures for military purposes, was taken up and agreed to.

The unfinished business of Saturday was then taken up, the pending question being on the amendment of Mr. Kittrell to the amendment of Mr. Brown. The subject occupied the time in discussion until the hour of recess.

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4 O'CLOCK, P. M.

The Convention proceeded to the consideration of the subject pending at the hour of recess.

The question on Mr. Kittrell's amendment was put, and it was not agreed to.

The question then recurred on the amendment offered by Mr. Brown, which occupied the time until a late hour.

By general consent Mr. Howard moved to suspend the operation of the resolution requiring afternoon sessions, until Monday next, and the motion prevailed.

Then, on motion of Mr. Arrington, the Convention adjourned.

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### IN CONVENTION, TUESDAY, February 4, 1862.

The President took the Chair and called the Convention to order. Prayer by Rev. Dr. Mason, of the P. E. Church.

The journal of yesterday was read and approved.

On motion of Mr. Ferebee, leave of absence for an indefinite time was granted to Mr. Spruill, of Tyrrell.

Mr. Dick presented a petition from sundry citizens of Guilford County, on the evils growing out of the distillation of grain, which, on motion of Mr. Holden, was ordered to lie on the table.

On motion of Mr. Holden, leave of absence for two days was granted to Mr. Battle, of Wake.

On motion of Mr. Bunting, leave of absence for two days from and after to-day, was granted to Mr. Cunningham.

On motion of Mr. Gorrell, the President was authorized to fill the vacancy in the committee on the rights of foreigners and schools, caused by the resignation of Mr. Patterson.

The President appointed Mr. Douthitt.

Mr. Calloway introduced an ordinance to secure equal and just taxation, which passed its first reading and was ordered for consideration when the report of the legislative committee shall be taken up.

Mr. Woodfin introduced a resolution declaring the sense of the Convention that the Governor should issue bonds to the Western North Carolina Railroad, in compliance with the provisions of the charter.

Mr. Wilson, from the committee on Justices of the Peace, reported an ordinance to amend the Constitution in relation to that subject, which passed the first reading.

Mr. Graham offered the following:

*Resolved*, That His Excellency, the Governor, be requested to inform this Convention what number of troops called into service for the public defence from this State, either State troops, volunteers or militia, are paid, supported or supplied, in whole or in part, from the Treasury of this State; also, whether any regulation has been adopted, or arrangement entered into between the authorities of this State and those of the Confederate States, by which all or any of said troops are transferred to said Confederate States, to be paid, supported and supplied at the expense of said Confederate States, whenever organized into regiments, battalions or companies, or at any other stage of preparation for service. And if not, whether any correspondence has been had with the Confederate authorities in relation such transfer, supply and support of North Carolina troops called into service, and if so, that he communicate the same to this Convention.

On his motion, the rules were suspended, and the resolution was adopted.

X Mr. Strong, of Wayne, from the committee on Enrollments, reported as correctly enrolled the ordinance to authorize the Treasurer to issue Treasury notes, and the same was duly ratified.

Mr. Leak, of Richmond, offered the following:

*Resolved*, That this Convention, when it adjourns, shall adjourn over during the present war, subject, however, to be convoked by the President when so requested by any — delegates; and in case of his death or inability, subject to the call of the Principal Secretary, when a similar request shall be made.

He moved to suspend the rules so that the resolution may be now considered, and it was not agreed to.

Mr. Durham introduced an ordinance regulating the salaries of the Judges, which passed the first reading.

Mr. Gorrell moved certain amendments to the rules, which were read and laid over one day.

The unfinished business of yesterday was taken up, the pending question being on the amendment offered by Mr. Brown. After considerable debate, the vote was taken and resulted in the negative, as follows:

AYES—Messrs. Battle of Edgecombe, Berry, Brown, Bunting, Cunningham, Darden, Edwards, Graham, Green, Hargrove, Holmes, Howard, Kelly, Mebane, Rayner, Rhodes, Royster, Strange, Strong of Wayne, Sutherland, Thornton, Turner, Washington and Wooten—24.

NOES—Messrs. Allison, Armfield, Arrington, Atkinson, Badger, Bagley, Batchelor, Bond, Bryson, Calloway, Cannon, Christian, Dick, Douthitt, Durham, Eller, Ellison, Ferebee, Foster of Ashe, Foster of Randolph, Fuller, Gilmer, Gorrell, Greenlee, Hamlin, Hearn, Headen, Hicks, Holden, Johnston, Jones of Caldwell, Jones of Currituck, Jones of Rowan, Kittrell, Leak of Richmond, Mann, McDowell of Burke, McDowell of Madison, McDuffie, McNeill of Cumberland, Merritt, Michal, Miller, Mitchell, Osborne, Penland, Phifer, Reid, Ruffin, Schenck, Setzer, Shipp, Smith of Macon, Sprouse, Starbuck, Thomas of Jackson, Wilson and Woodfin—58.

Mr. Mebane then offered the following amendment to the first section, "and in constructing said road, the company hereby created, may fix the terminus thereof at Lexington or any other point on the North Carolina Railroad, not exceeding one mile east of Haw River," and it was not agreed to.

Mr. Starbuck moved the following amendment: Add to section first the words, "beginning at Danville, Va., running thence by way of Leaksville, Madison, Germanton, Winston and Salem, to Lexington, on the N. C. Railroad."

Pending the consideration of this amendment, a message was received from His Excellency, the Governor, in reply to certain inquiries of the Convention, which, on motion, was ordered to be printed.

And, then, on motion of Mr. Meares, the Convention adjourned.

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IN CONVENTION, WEDNESDAY, February 5, 1862.

The President took the Chair and called the Convention to order.

The journal of yesterday was read and approved.



Mr. Hicks presented a petition from citizens of Haywood County, praying that a Court of Oyer and Terminer be held for the trial of certain persons in that county, charged with grave criminal offenses, which, on his motion, was referred to a select committee.

On motion of Mr. Headen, the messages from the Governor on yesterday were read for information, whereupon one of said messages was, on his motion, referred to a select committee; and on motion of Mr. Ferebee, the other was referred to the committee on the Confederate Tax.

Mr. Thomas, of Jackson, introduced an ordinance to authorize the Jacksonville and Dalton Railroad Company to connect their road with the railroad system of this State, which passed its first reading.

Mr. Mebane introduced an ordinance to provide for the election of Governor and members of the General Assembly, which passed its first reading.

X On motion of Mr. Ellison, the ordinance to incorporate the Washington and Tarboro Railroad Company, was taken up and read the second time.

The question being on its passage on the second reading, the ayes and noes were ordered, on motion of Mr. Schenck, and resulted in the affirmative, as follows:

AYES—Messrs. Allison, Armfield, Arrington, Atkinson, Badger, Bagley, Battle of Wake, Berry, Bogle, Bond, Bryson, Caldwell, Calloway, Cannon, Dick, Douthitt, Durham, Eller, Ellison, Ferebee, Foster of Ashe, Foster of Randolph, Gilmer, Gorrell, Graham, Hamlin, Hearne, Headen, Hicks, Holden, Johnston, Jones of Caldwell, Jones of Rowan, Kittrell, Leak of Richmond, Mann, McDowell of Burke, McDuffie, Mebane, Merritt, Miller, Mitchell, Myers, Osborne, Penland, Reid, Ruffin, Setzer, Shipp, Smith of Macon, Sprouse, Starbuck, Thomas of Jackson, and Wilson—54.

NOES—Messrs. Batchelor, Battle of Edgecombe, Brown, Bunting, Darden, Dickson, Edwards, Fuller, Greenlee, Hargrove, Holmes, Howard, Kelly, Lyon, Meares, Michal, Rhodes, Royster, Sanders, Schenck, Smith of Johnston, Strange, Strong

of Wayne, Sutherland, Thornton, Turner, Woodfin and Wooten—28.

On motion of Mr. Ellison, the rules were suspended, the ordinance read the third time and passed, and ordered to be enrolled.

The President announced the following committees:

*On the memorial presented by Mr. Hicks*—Messrs. Hicks, Woodfin, Berry, Setzer and Shipp.

*On the Governor's Message*—Messrs. Gilmer, Williamson, Arrington, McNeill of Harnett, and Holden.

The unfinished of yesterday—the Piedmont Railroad charter—was taken up, the question being on the amendment offered by Mr. Starbuck. The question was put, and the amendment was not agreed to.

Mr. Gilmer offered a substitute for the second section, providing for Commissioners to receive and superintend subscriptions, which was agreed to.

Mr. Batchelor moved to insert the word, "railroad," before the words, "corporate bodies," in the 24th line of the 4th section, and it was agreed to.

Mr. Ruffin moved the following proviso to the 8th section: "Provided that at such elections no stockholder shall be entitled to cast more than two hundred votes," which was agreed to.

Mr. Badger moved to strike out of the 8th section the words, "being citizens of the Confederate States," and insert the words, "not being alien enemies," and it was agreed to.

Mr. Strange moved to strike out sections 33, 34 and 35, on which motion the ayes and noes were ordered, and resulted in the negative, as follows:

AYES—Messrs. Arrington, Bagley, Batchelor, Battle of Edgecombe, Berry, Bunting Darden, Dickson, Durham, Edwards, Foy, Graham, Hargrove, Holmes, Howard, Jones of Currituck, Kelly, Leak of Richmond, Lyon, McDuffie, McNeill of Cumberland, Mebane, Merritt, Osborne, Rayner, Rhodes, Royster, Sanders, Strange, Strong of Wayne, Thomas of Jackson, Thornton and Wooten—33.

NOES—Messrs. Allison, Armfield, Atkinson, Badger, Bogle, Brown, Bryson, Caldwell, Calloway, Cannon, Christian, Dick, Douthitt, Eller, Ellison, Ferebee, Foster of Ashe, Foster of Randolph, Gilmer, Gorrell, Hamlin, Hearne, Headen, Hicks, Johnston, Jones of Caldwell, Jones of Rowan, Kittrell, Mann, McDowell of Burke, McDowell of Madison, McNeill of Harnett, Michal, Miller, Mitchell, Penland, Phifer, Reid, Ruffin, Schenck, Setzer, Smith of Johnston, Smith of Macon, Sprouse, Starbuck, Turner, Walton, Williamson, Wilson and Woodfin—50.

Before the last vote was taken, Mr. Myers asked and obtained leave not to vote on all the proposed amendments to the ordinance.

Mr. Batchelor moved an adjournment, and it was not agreed to.

Mr. Foy offered the following amendment to the ordinance :

*Be it further ordained*, That the right is reserved to this State to purchase, at any time after the present war, from said corporation, at the pleasure of the General Assembly, so much of the said road as is situated in North Carolina, and all the fixtures, engines, rolling stock, and all the other property belonging to said corporation, at a fair valuation, payable in equal proportions, payable in one, two, three, four, and five years, for which stock of this State, payable at the periods aforesaid, and bearing interest at the rate of six per cent., payable semi-annually at the public treasury, shall be issued ; and such valuation shall be made by two persons chosen by the General Assembly, and two other persons chosen by the President and Directors of said Corporation, and by one other person chosen by the four persons last named, and the valuation thus made shall be conclusive on all the parties aforesaid.

On this question the ayes and noes were ordered, on motion of Mr. Foy, and resulted in the negative, as follows :

AYES—Messrs. Batchelor, Battle of Edgecombe, Brown, Bunting, Darden, Dickson, Edwards, Foy, Hargrove, Holmes, Howard, Kelly, Leak of Richmond, Lyon, Moseley, Rhodes, Royster, Strange, Strong of Wayne, Sutherland, Thomas of Jackson, Thornton, Williamson and Wooten—24.

NOES—Messrs. Allison, Armfield, Arrington, Atkinson, Badger, Bagley, Berry, Bogle, Bond, Bryson, Caldwell, Callo-way, Cannon, Christian, Dick, Douthitt, Durham, Eller, Ellison, Ferebee, Foster of Ashe, Foster of Randolph, Gilmer, Gorrell, Hamlin, Hearne, Headen, Hicks, Holden, Houston, Johnston, Jones of Caldwell, Jones of Currituck, Jones of Rowan, Kirtrell, McDowell of Burke, McDowell of Madison, McNeill of Harnett, Mebane, Merritt, Michal, Miller, Mitchell, Osborne, Penland, Phifer, Reid, Ruffin, Sanders, Schenck, Setzer, Shipp, Smith of Johnston, Smith of Macon, Sprouse, Starbuck, Turner, Wilson and Woodfin—59.

Mr. Jones, of Rowan, moved that the Convention do now adjourn, and it was not agreed to.

Mr. Brown offered the following amendment:

*Be it further ordained*, That at the termination of the existing war between the United States and the Confederate States, all the rights, franchises and authority acquired under this charter by the Confederate States, shall cease and determine, and the same shall revert to the State of North Carolina.

Mr. Howard moved that the Convention do now adjourn, and it was not agreed to.

The question was then put on the amendment of Mr. Brown, and it was not agreed to.

Mr. Badger offered the following:

*Be it further ordained*, That the corporate franchises and privileges hereby granted shall cease and determine at the expiration of ninety-nine years from the day of the passage of this ordinance.

Mr. Foy moved to amend the amendment by striking out "ninety-nine," and inserting "thirty," which was not agreed to.

The amendment of Mr. Badger was then agreed to.

Then, on motion of Mr. Badger, the Convention adjourned.

## IN CONVENTION, THURSDAY, February 6, 1862.

The President took the Chair and called the Convention to order. Prayer by Rev. John S. Long, of the M. E. Church.

The journal of yesterday was read and approved.

Mr. Strong presented a petition from one hundred and fifty ladies of Wilson County, asking the intervention of this body in the ruinous effects of the distillation of ardent spirits, which was ordered to be filed with the other papers on that subject.

Mr. Meares presented a petition from citizens of Smithville and officers of the 20th Regiment N. C. Volunteers, on the same subject, which, on his motion, was referred to a select committee.

The President appointed the following: Messrs. Meares, Graham, Strange, Osborne and Brown.

Mr. Darden introduced an ordinance on the subject of distilleries, which passed its first reading.

On motion of Mr. Walton, his resolution, heretofore introduced, asking a definition of certain words in the militia laws, was now taken up and agreed to.

Mr. Osborne offered the following:

*Resolved*, That in the opinion of this Convention, it is of the highest importance to the interests of the Confederate States that the mints situated within their limits should be placed in operation at the earliest practicable moment; and that our Senators and Representatives in Congress be requested to use their best exertions to attain this object.

On motion of Mr. Graham, the rules were suspended, and the resolution was agreed to.

Mr. Howard, from the Executive Committee, reported an ordinance to amend the Constitution in relation to the Executive Department, which passed its first reading.

Mr. Batchelor's resolution in relation to the taxation of slaves, was taken up and agreed to.

Mr. Rayner's resolution in regard to the course of the Banks with regard to Treasury notes, was taken up and agreed to.

Mr. McDuffie's resolution, asking information of the Adjutant General in regard to United States army officers, natives of this State, was then taken up and modified, by striking out the latter clause, and, on motion, was referred to a committee on a similar subject, raised under a resolution of Mr. Rayner.

The unfinished business of yesterday—the Piedmont Railroad charter—was then called for, when Mr. Leak, of Richmond, moved to postpone the same, in order to consider a resolution offered by him in relation to the adjournment of this Convention, on which the ayes and noes were ordered, on motion of Mr. Jones, of Currituck, and resulted in the negative, as follows :

**AYES**—Messrs. Arrington, Bagley, Battle of Edgecombe, Bunting, Caldwell, Darden, Dickson, Foy, Fuller, Hargrove, Holmes, Howard, Johnston, Jones of Currituck, Kelly, Leak of Richmond, Lyon, McDuffie, McNeill of Cumberland, McNeill of Harnett, Miller, Moseley, Rhodes, Royster, Sanders, Setzer, Strange, Strong of Wayne, Sutherland, Thompson, Thornton, Walton, Washington and Wooten—35.

**NOES**—Messrs. Allison, Armfield, Badger, Barnes, Batchelor, Battle of Wake, Berry, Bogle, Bond, Brown, Calloway, Cannon, Dick, Douthitt, Durham, Eller, Ellison, Ferebee, Foster of Ashe, Gilmer, Gorrell, Graham, Greenlee, Hamlin, Hearne, Headen, Hicks, Holden, Houston, Jones of Caldwell, Jones of Rowan, Joyce, Kittrell, Long, Mann, McDowell of Burke, McDowell of Madison, Meares, Merritt, Michal, Mitchell, Myers, Osborne, Penland, Phifer, Reid, Ruffin, Schenck, Shipp, Smith of Halifax, Smith of Johnston, Smith of Macon, Sprouse, Starbuck, Strong of Mecklenburg, Thomas of Jackson, Turner, Warren, Williamson, Wilson and Woodfin—61.

Mr. Howard moved to postpone in order to allow him to introduce an ordinance to authorize the Governor to accept and organize an additional regiment of artillery. On this question the ayes and noes were ordered, on motion of Mr. Howard, and resulted in the negative, as follows:

**AYES**—Messrs. Arrington, Atkinson, Bagley, Barnes, Batchelor, Battle of Edgecombe, Battle of Wake, Berry, Bond, Bunting, Caldwell, Darden, Dickson, Durham, Foy, Fuller,

Hargrove, Holmes, Houston, Howard, Johnston, Jones of Currituck, Kelly, Leak of Richmond, Lyon, McDowell of Madison, McDuffie, McNeill of Cumberland, McNeill of Harnett, Meares, Moseley, Osborne, Rhodes, Royster, Sanders, Smith of Halifax, Smith of Johnston, Strange, Strong of Mecklenburg, Strong of Wayne, Sutherland, Thomas of Jackson, Thompson, Thornton, Walton, Washington and Wooten—47.

NOES—Messrs. Allison, Armfield, Badger, Bogle, Brown, Calloway, Cannon, Christian, Dick, Douthitt, Eller, Ellison, Ferebee, Foster of Ashe, Foster of Randolph, Gilmer, Gorrell, Graham, Hamlin, Hearne, Headen, Hicks, Holden, Jones of Caldwell, Jones of Rowan, Joyce, Kittrell, Long, Mann, McDowell of Burke, Mebane, Merritt, Michal, Miller, Mitchell, Myers, Penland, Phifer, Reid, Ruffin, Schenck, Setzer, Shipp, Smith of Macon, Speed, Sprouse, Starbuck, Warren, Wilson and Woodfin—50.

By consent, Mr. Hicks, from the committee on the petition from citizens of Haywood County, reported an ordinance to establish a Court of Oyer and Terminer, which passed its first reading.

The Convention then proceeded to the consideration of the unfinished business of yesterday, the question being on the passage of the ordinance on its second reading.

Mr. Graham moved to amend by striking out the names of W. A. Graham and John Berry, in the second section, and inserting the names of W. F. Strayhorn and J. C. Turrentine, and it was agreed to.

The ordinance then passed the second reading.

Mr. Gilmer moved to suspend the rules and put the ordinance on its third reading to-day, on which motion the ayes and noes were ordered, on motion of Mr. Howard, and resulted in the affirmative, as follows:

AYES—Messrs. Allison, Armfield, Arrington, Atkinson, Badger, Bagley, Barnes, Batchelor, Bogle, Bond, Brown, Caldwell, Calloway, Christian, Dick, Douthitt, Durham, Eller, Ellison, Ferebee, Foster of Ashe, Foster of Randolph, Gilmer, Gorrell, Greenlee, Hamlin, Hearne, Headen, Hicks, Holden, Houston,

Johnston, Jones of Caldwell, Jones of Currituck, Jones of Rowan, Joyce, Kittrell, Leak of Richmond, Long, Mann, McDowell of Burke, McDowell of Madison, McDuffie, McNeill of Cumberland, McNeill of Harnett, Mebane, Michal, Miller, Mitchell, Myers, Osborne, Penland, Phifer, Reid, Ruffin, Schenck, Setzer, Shipp, Smith of Macon, Sprouse, Starbuck, Strong of Mecklenburg, Thomas of Jackson, Turner, Walton, Warren, Williamson, Wilson and Woodfin—70.

NOES—Messrs. Battle of Edgecombe, Berry, Bunting, Cannon, Darden, Dickson, Foy, Fuller, Graham, Hargrove, Holmes, Howard, Kelly, Lyon, Meares, Merritt, Moseley, Rayner, Rhodes, Royster, Smith of Halifax, Speed, Strange, Strong of Wayne, Sutherland, Thompson, Thornton, Washington and Wooten—30.

Two-thirds voting in the affirmative, the ordinance was read the third time.

Mr. Ruffin moved to amend the 23d section by striking out all after the word "situated," in the 8th line, down to the word "provided," in the 20th line, and it was agreed to.

Mr. Thomas, of Jackson, moved to amend as follows:—add to the 13th line, in the 13th section, as follows: Provided, the Company formed under this charter shall have no power to discriminate in either freight or travel against the North Carolina Railroad or Roads in North Carolina connected with it; and it was agreed to.

Mr. Thomas, of Jackson, also offered the following:—Add to the last of the 12th line of the 31st section, after the word "Road," as follows: and the said road with its branches authorized to be constructed under this charter shall be of the same guage as the North Carolina Railroad; and the North Carolina Railroad Company shall have the right to construct a branch of their road from Hillsboro', or some other point, to Danville, or to the Virginia and Tennessee Road.

Mr. Gorrell moved to strike out the latter clause of the amendment and insert in lieu thereof the following:—That full right and privilege is hereby reserved to the State, or to any company hereafter to be incorporated under the authority of



this State, to connect with the road hereby provided for, or any other railroad leading therefrom, to any part or parts of this State; *Provided*, that in forming such connection, no injury shall be done to the works of the Company hereby incorporated.

At the suggestion of several members, he withdrew his amendment, whereupon,

Mr. Thomas, of Jackson, moved to strike out of his amendment all after the word "Danville," and it was agreed to.

He also moved to strike out the words, "or other points," which was agreed to. He moved then to amend further by inserting the words, "or near," before the word, "Danville," which was also agreed to.

Mr. Badger then moved to amend the 33d section, by striking out the words, "one or more of the Confederate States of America;" also, to insert, after the word solvent, the words "Railroad," also, to add the word "and" before the word, "also," and to strike out the words, "shall have power and authority," and insert in lieu thereof the words, "may subscribe for;" which several amendments were agreed to.

Mr. Osborne moved to amend by striking out of the 13th line, the words, "and States in said Confederate States," which was agreed to.

Mr. Badger moved to amend the 34th section by striking out the words, "the said States," which was agreed to.

Mr. Ruffin moved to amend by striking out the amendments heretofore agreed to on his motion providing for a limitation in the number of votes by each stockholder, and inserting in lieu thereof the words, "as may be, hereafter provided," and it was agreed to.

He then moved to add the words just stricken out, to the 35th section, and it was agreed to.

Mr. Howard now renewed the amendment which Mr. Gorrell withdrew, and the amendment was agreed to.

He also moved to amend the 35th section by adding: "Provided that a majority of directors of said company shall be citizens of North Carolina," and it was not agreed to.

The question then recurred upon the final passage of the ordinance, on which the ayes and noes were ordered, on motion of Mr. Thornton, and resulted in the affirmative, as follows:

AYES—Messrs. Allison, Armfield, Arrington, Atkinson, Badger, Barnes, Bogle, Bryson, Caldwell, Calloway, Christian, Dick, Douthitt, Durham, Eller, Ellison, Foster of Ashe, Foster of Randolph, Gilmer, Gorrell, Greenlee, Hamlin, Hearne, Headen, Hicks, Holden, Houston, Johnston, Jones of Caldwell, Jones of Rowan, Joyce, Kittrell, Leak of Richmond, Long, McDowell of Burke, McDowell of Madison, McDuffie, McNeill of Cumberland, McNeill of Harnett, Michal, Miller, Mitchell, Myers, Osborne, Penland, Phifer, Reid, Ruffin, Schenck, Setzer, Shipp, Smith of Macon, Sprouse, Starbuck, Strong of Mecklenburg, Thomas of Jackson, Turner, Warren, Williamson, Wilson and Woodfin—61.

NOES—Messrs. Bagley, Batchelor, Berry, Bond, Bunting, Cannon, Darden, Dickson, Edwards, Foy, Fuller, Graham, Hargrove, Holmes, Howard, Jones of Currituck, Kelly, Lyon, Mann, Meares, Merritt, Moseley, Rayner, Rhodes, Royster, Sanders, Smith of Halifax, Speed, Strange, Strong of Wayne, Sutherland, Thompson, Thornton, Washington and Wooten—35.

Mr. Badger moved to reconsider the vote just taken, and it was not agreed to.

Then, on motion of Mr. Batchelor, the Convention adjourned.

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#### IN CONVENTION, FRIDAY, February 7, 1862.

The Convention met, the President in the Chair. Prayer by Rev. Henry Hardie, of the Presbyterian Church.

The journal of yesterday was read and approved.

Mr. Schenck presented a petition from citizens of Lincoln County, in relation to extortioners and distillers, which, on his motion, was referred to the committee on Distilleries.

Mr. Battle, of Wake, from the committee on Enrollments, reported the Ordinance to incorporate the Washington and Tarboro' Railroad Company: whereupon, it was signed by the President and attested by the Secretaries.

Mr. Jones, of Rowan, offered the following, which lies over one day:

*Resolved*, That from and after Wednesday, 11th inst., no new business shall be introduced into the Convention, except amendments to matters before that time brought forward.

Mr. Leak, of Richmond, moved to take up for consideration his resolution in relation to the adjournment. On this question the ayes and noes were ordered, on motion of Mr. Darden, and resulted as follows:

AYES—Messrs. Arrington, Atkinson, Bagley, Battle of Edgecombe, Bunting, Caldwell, Cunningham, Darden, Dickson, Durham, Ellison, Fuller, Green, Greenlee, Hargrove, Headen, Hicks, Holmes, Houston, Howard, Johnston, Jones of Caldwell, Kelly, Leak of Anson, Leak of Richmond, Lyon, Mann, McDowell of Burke, McDowell of Madison, McDuffie, McNeill of Cumberland, McNeill of Harnett, Michal, Miller, Moseley, Rayner, Reid, Rhodes, Royster, Sanders, Schenck, Setzer, Smith of Halifax, Smith of Johnston, Strange, Strong of Mecklenburg, Strong of Wayne, Sutherland, Thompson, Thornton, Walton, Washington, Williams, Williamson and Wooten—55.

NOES—Messrs. Allison, Armfield, Badger, Barnes, Batchelor, Battle of Wake, Bond, Brodnax, Bryson, Calloway, Cannon, Christian, Dick, Douthitt, Eller, Ferebee, Foster of Ashe, Foster of Randolph, Gilmer, Graham, Hamlin, Hearne, Holden, Jones of Rowan, Kittrell, Long, Meares, Merritt, Mitchell, Osborne, Penland, Ruffin, Shipp, Smith of Macon, Speed, Starbuck, Thomas of Carteret, Thomas of Jackson, Turner, Warren, Wilson and Woodfin—43.

Mr. Smith, of Halifax, offered the following substitute therefor:

*Resolved*, That a committee be appointed by the President to take into consideration the necessary business to be acted on by this Convention, and report at as early a day as practicable for the adjournment thereof.

Mr. Michal moved to amend the substitute as follows: Strike out all after the word "resolved," and insert, "that this Convention will adjourn *sine die* on or before the 21st instant."

Mr. Bond moved that the whole subject lie on the table. Mr. Leak, of Richmond, called for the ayes and noes, which being ordered, resulted as follows:

**AYES**—Messrs. Allison, Armfield, Badger, Barnes, Batchelor, Battle of Wake, Berry, Bond, Brodnax, Bryson, Calloway, Cannon, Christian, Dick, Douthitt, Eller, Ellison, Ferebee, Foster of Randolph, Gilmer, Graham, Hamlin, Hearne, Holden, Jones of Rowan, Kelly, Kittrell, Long, Mann, McDowell of Madison, McNeill of Cumberland, Meares, Merritt, Mitchell, Osborne, Penland, Ruffin, Shipp, Smith of Macon, Speed, Starbuck, Thomas of Carteret, Thomas of Jackson, Turner, Warren and Wilson—46.

**NOES**—Messrs. Arrington, Atkinson, Bagley, Battle of Edgecombe, Bunting, Caldwell, Cunningham, Darden, Dickson, Durham, Foster of Ashe, Fuller, Green, Greenlee, Hargrove, Headen, Hicks, Holmes, Howard, Johnston, Jones of Caldwell, Leak of Anson, Leak of Richmond, Lyon, McDowell of Burke, McDuffie, McNeill of Harnett, Michal, Miller, Moseley, Rayner, Reid, Rhodes, Royster, Sanders, Schenck, Setzer, Smith of Halifax, Smith of Johnston, Strange, Strong of Mecklenburg, Strong of Wayne, Sutherland, Walton, Washington, Williams, Williamson, Woodfin and Wooten—51.

Mr. Badger now moved that the subject be referred to a select committee. On this question the ayes and noes were ordered, on motion of Mr. Holmes, and resulted as follows:

**AYES**—Messrs. Allison, Armfield, Arrington, Atkinson, Badger, Barnes, Batchelor, Battle of Wake, Berry, Bond, Brodnax, Bryson, Calloway, Cannon, Christian, Dick, Douthitt, Eller, Ellison, Ferebee, Foster of Ashe, Foster of Randolph, Gilmer, Graham, Hamlin, Hearne, Headen, Hicks, Holden, Jones of Caldwell, Jones of Rowan, Kelly, Long, Mann, McDowell of Madison, McDuffie, McNeill of Cumberland, McNeill of Harnett, Merritt, Mitchell, Osborne, Ruffin, Shipp, Smith of Halifax, Smith of Johnston, Smith of Macon, Speed, Starbuck, Strong of Mecklenburg, Thomas of Carteret, Thomas of Jackson, Turner, Walton, Warren, Washington and Wilson—56.

NOES—Messrs. Bagley, Battle of Edgecombe, Bunting, Caldwell, Cunningham, Darden, Dickson, Durham, Fuller, Green, Greenlee, Hargrove, Holmes, Houston, Howard, Johnston, Leak of Anson, Leak of Richmond, Lyon, McDowell of Burke, Michal, Miller, Moseley, Penland, Rayner, Reid, Rhodes, Royster, Sanders, Schenck, Setzer, Strange, Strong of Wayne, Sutherland, Thompson, Thornton, Williams, Williamson, Woodfin and Wooten—40.

Mr. Ferebee, from the committee on Military Affairs, reported an ordinance to provide for the payment of bounty to the North Carolina Volunteers in service, which passed its first reading.

The President announced the following Committee on the resolution of Mr. Walton: Messrs. Walton, Barnes, Graham, Sanders, and Strong of Mecklenburg.

On motion of Mr. Smith of Halifax, leave of absence for three days, was granted to Mr. Foy; and, on motion of Mr. Ferebee, leave of absence from and after to-day, to Mr. Jones, of Currituck.

Mr. Armfield, from the committee on Distilleries, made an adverse report on the several subjects referred to it. He also informed the Convention that he would present a minority report.

Mr. Rayner offered the following resolution:

*Resolved*, That the Public Treasurer, be requested to invite the Presidents of the several Banks in this State to convene in this City, at an early day, for the purpose of consultation in regard to the course to be pursued by said Banks, as to the Treasury notes issued by the State.

On his motion, the rules were suspended, and said resolution considered and agreed to.

The order of the day now coming up, on motion of Mr. Howard, the same was postponed until to-morrow, in order that the Convention might proceed to consider the ordinance to raise and organize North Carolina's quota of Confederate Troops; whereupon,

On motion of Mr. Osborne, the lobbies and galleries were cleared, and the Convention proceeded to sit with closed doors, and so continued until a late hour, when the doors were opened.

Mr. Barnes moved that leave of absence, until Monday next, be granted to Mr. Meares; which was agreed to.

Mr. Badger presented an order denoting the method of proceeding for the final disposal of such Constitutional amendments as may be agreed to by the Convention.

And then, on motion of Mr. Badger, the Convention adjourned.

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IN CONVENTION, SATURDAY, February 8, 1862.

The Convention met, the President in the Chair. Prayer by Rev. Mr. FitzGerald, of the P. E. Church.

The journal of yesterday was read and approved.

The President announced the following committee on the resolution for adjournment: Messrs. Smith of Halifax, Leak of Richmond, Ruffin, Woodfin and Brodnax.

Mr. Moseley offered the following:

*Resolved*, That the Convention instructs the Paymaster General to pay the officers and privates of the companies of the 38th regiment, North Carolina Volunteers, from the time said companies tendered their services to the Governor and were accepted by him.

On his motion, the rules were suspended to consider the resolution at this time.

Mr. Rayner moved to refer the resolution to a special committee; which was agreed to, and the President appointed Messrs. Gilmer, Merritt, Howard, Moseley and Armfield.

Mr. Battle, of Wake, from the committee on Enrollments, reported as correctly enrolled, the Ordinance to incorporate the Piedmont Railroad Company, and the same was duly ratified.

Mr. Rayner, from the committee on Finance, to whom was referred an ordinance to tax spirituous liquors, distilled from grain, reported the same back with amendments, and recommended its passage.

Also, an ordinance to increase the salaries of the Treasurer, Comptroller and Secretary of State;

And unfavorably on the resolution in relation to the taxation of slaves.

Mr. Holmes introduced an ordinance for the more thorough organization of the militia, which passed the first reading, and, on his motion, was referred to the committee on Military Affairs.

On motion of Mr. Holden, the ordinance heretofore introduced by him to amend the Constitution in relation to the University and the schools, was taken up and referred to the committee on the rights of foreigners and on schools.

Mr. Foster, of Ashe, introduced an ordinance in relation to certain lands in Ashe and Wilkes counties, which passed the first reading, and, on motion of Mr. Mitchell, was referred to a select committee.

Mr. Schenck, from the committee to whom was referred the ordinance to annul the 9th section of the charter of the Cheraw and Coalfields Railroad Company, reported the same back to the Convention, and recommended that it do not pass.

Mr. Christian, from the minority of the same committee, presented an adverse report, recommending the passage of the ordinance.

The reports were ordered to be printed and made the special order for Friday next, at 12 o'clock.

The special order was now called for, being the ordinance in relation to North Carolina's quota of Confederate troops.

Mr. Ellison moved to postpone the same, in order to consider the ordinance relating to county taxes, on which the ayes and noes were ordered, on motion of Mr. Badger, and resulted in the negative, as follows :

**AYES**—Messrs. Allison, Badger, Bagley, Batchelor, Berry, Bryson, Cannon, Darden, Dick, Ellison, Ferebee, Graham, Hamlin, Hargrove, Holden, Jones of Rowan, Kelly, Leak of Anson, Long, Michal, Royster, Ruffin, Shipp, Smith of Halifax, Smith of Johnston, Smith of Macon, Starbuck, Walton, Warren and Williams—30.

**NOES**—Messrs. Arrington, Atkinson, Brodnax, Bunting, Caldwell, Calloway, Christian, Douthitt, Durham, Eller, Foster of Ashe, Fuller, Green, Greenlee, Hicks, Holmes, Johnston,

Leak of Richmond, McDowell of Burke, McDowell of Madison, McDuffie, McNeill of Cumberland, McNeill of Harnett, Mitchell, Osborne, Reid, Rhodes, Sanders, Schenck, Setzer, Strange, Strong of Mecklenburg, Sutherland, Thompson, Thornton, Williamson, Woodfin and Wooten—38.

Mr. Batchelor moved that the Convention sit with closed doors, on which a quorum did not vote.

Mr. Smith, of Johnston, moved a call of the House, which was agreed to, and the call being made, it appeared that there were eighty-five members present. This being a quorum, on motion, further proceedings of the call were dispensed with.

The question recurring on the motion of Mr. Batchelor, the ayes and noes were ordered thereon, on motion of Mr. Badger, and resulted in the negative, as follows:

AYES—Messrs. Arrington, Batchelor, Bunting, Caldwell, Calloway, Darden, Dickson, Fuller, Green, Hargrove, Holmes, Johnston, Jones of Caldwell, Kelly, Leak of Anson, McDowell of Burke, McDowell of Madison, Mitchell, Osborne, Reid, Rhodes, Royster, Ruffin, Setzer, Starbuck, Strange, Strong of Mecklenburg, Sutherland, Thomas of Carteret, Thomas of Jackson, Thompson, Thornton, Walton, Williams, Williamson and Wooten—36.

NOES—Messrs. Allison, Atkinson, Badger, Bagley, Barnes, Berry, Bond, Brodnax, Bryson, Cannon, Christian, Dick, Douthitt, Durham, Eller, Ellison, Ferebee, Foster of Ashe, Foster of Randolph, Graham, Greenlee, Hamlin, Hearne, Headen, Hicks, Holden, Jones of Rowan, Leak of Richmond, Long, Mann, McDuffie, McNeill of Cumberland, McNeill of Harnett, Michal, Penland, Sanders, Smith of Halifax, Smith of Johnston, Smith of Macon, Speed, Warren and Woodfin—42.

On motion of Mr. Graham, the further consideration of the ordinance was postponed until Monday next.

On motion of Mr. Batchelor, the Convention now proceeded to the consideration of the ordinance relating to taxation by the County Courts, the pending question being on the substitute proposed by Mr. Ellison.



On motion of Mr. Mitchell, the County of Iredell was exempted from the operation of the ordinance ; also, on motion of Messrs. Calloway and Setzer, their respective counties were also exempted.

Mr. Graham moved the following amendment—Add to the first section as follows : Provided that in counties holding regular terms of their County Courts, in said month of May, or the first Monday in June, the levy hereby required shall be made at such regular term. Also, to strike out the 8th section ; and the amendments were agreed to.

Mr. Graham also moved the following—And the Secretary of State shall cause this ordinance to be published in ten newspapers, printed in the various parts of the State, for one month successively prior to the first day of May next, which was also agreed to.

The motion of Mr. Mitchell was now reconsidered and disagreed to.

The substitute of Mr. Ellison as amended was then adopted.

On motion, the rules were suspended, the ordinance passed the third and last reading and ordered to be enrolled.

Mr. Rayner offered the following :

*Resolved*, That the Secretary of State be authorized and directed to have published three hundred copies of the ordinance just passed, and send one copy to the Sheriff, Chairman and Clerk of the County Court of each County of the State, which was adopted under a suspension of the rules.

Mr. Howard, from the select committee, to whom was referred the resolution introduced this morning by Mr. Moseley, reported a substitute therefor, and recommended its passage.

On motion, the rules were suspended, the resolution passed the several readings and ordered to be enrolled.

Mr. Battle, of Wake, from the committee on Enrollments, reported as correctly enrolled the resolution just passed, and the same was duly ratified.

Mr. Thomas, of Jackson, moved to take up the ordinance to provide for Courts of Oyer and Terminer, which was agreed to.

The ordinance was read the second time.

Mr. Badger moved to lay the same on the table.

On motion of Mr. Merritt, the Convention adjourned.

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IN CONVENTION, MONDAY, February 10, 1862.

At the usual hour the Convention met, the President in the chair. Prayer by Rev. J. M. Atkinson of the Presbyterian Church.

The journal of Saturday was read, amended, on motion of Mr. Graham, and approved.

Mr. Green presented the credentials of A. J. Murrill, delegate from Onslow county to fill the vacancy created by the resignation of E. W. Ward, who thereupon took his seat in the Convention.

The President announced the following committee :

*On the resolution of Mr. Foster, of Ashe, in regard to certain lands in Ashe and Wilkes counties*—Messrs. Foster of Ashe, Mitchell, Bond, Murrill and Warren.

On motion of Mr. Schenck, leave of absence was granted to Mr. McDowell of Burke, from and after to-day, and on motion of Mr. Holmes, to Mr. Cunningham for three days, including to-day.

Mr. Calloway presented a petition from citizens of Wilkes county, on the subject of the distillation of liquors from grain, which was, on his motion, filed with the other papers on that subject.

Mr. Foster, of Ashe, offered the following :

*Resolved*, That this Convention will adjourn *sine die* on the 23d instant, which lies over one day.

Mr. Ruffin presented a memorial from the President and Directors of the Wilmington, Charlotte and Rutherford Railroad Company; and an ordinance to carry out the prayer of the memorialist, which passed its first reading.

On motion, their reference was made to a select committee.

Mr. Hicks introduced an ordinance to authorize the holding of a court of Oyer and Terminer in Haywood county, which

passed its first reading. On his motion, the rules were suspended, and the ordinance read the second and third times, and ordered to be enrolled.

Mr. Battle, of Wake, introduced an ordinance, supplemental to the ordinance passed by the Convention, in relation to the Chatham Railroad Company, which passed its first reading. On his motion, the rules were suspended, and the ordinance passed its several readings and was ordered to be enrolled.

Mr. Thomas, of Jackson, offered a resolution inquiring into the defences of the Western part of the State; which, under a suspension of the rules, was referred, on motion, to a select committee.

The President announced the following Committee on the memorial of the Wilmington, Charlotte and Rutherford Railroad Company, viz: Messrs. Reid, Speed, Warren, Holmes and Michal.

Mr. Ferebee moved to take up for consideration the ordinance to provide for bounty to the North Carolina Volunteers, which was agreed to.

Mr. Howard moved to amend as follows: at the end of the first section, add—Provided, however, that the officers of all Volunteers, directly to the Confederate States, shall make such returns as the Governor may require; which was agreed to.

Also, as follows: Insert between the words "is" and "created," the words, "or may be"; and strike out "South" and insert "Confederacy," which was agreed to. The ordinance then passed its second and third readings, and was ordered to be enrolled.

The following committee was announced on the resolution of Mr. Thomas, of Jackson, in regard to the defences of the Western part of the State, viz: Messrs. Thomas of Jackson, Satterthwaite, Penland, Barnes and Setzer.

On motion of Mr. Schenck, the lobbies and galleries were cleared, and the Convention proceeded to sit with closed doors. After so remaining for some time, the doors were opened, when

Mr. Badger moved to suspend the rule requiring the Convention to meet at 4 o'clock; which was agreed to.

Mr. Battle, of Wake, from the committee on Enrollments, reported the ordinance to provide bounty to the North Carolina volunteers, and an ordinance to provide for a Court of Oyer and Terminer in Haywood County: whereupon, it was signed by the President and attested by the Secretaries.

On motion of Mr. Ruffin, the Convention took a recess until 7 P. M.

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7 O'CLOCK, P. M.

At this hour the Convention re-assembled, and soon thereafter the lobbies and galleries were cleared and the Convention sat with closed doors; and so remained until the hour of adjournment.

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IN CONVENTION, TUESDAY, February 11, 1862.

The President called the Convention to order at the usual hour. Prayer by Rev. Dr. Mason, of the P. E. Church.

The journal of yesterday was read and approved.

Mr. Thomas, of Carteret, presented a petition from sundry citizens of Yadkin County against any action on the part of the Convention in relation to the consumption of corn by distilleries, which, on his motion, was ordered to lie on the table.

Mr. Williams, from the committee on Free Negroes, reported an ordinance to permit free negroes to enslave themselves, which passed its first reading.

Mr. Warren offered a resolution, calling for information from the Adjutant General. On his motion, the rules were suspended, and the resolution was read and agreed to.

On motion of Mr. Graham, leave of absence for the remainder of the session was granted to Mr. Eller, delegate from Wilkes.

On motion of Mr. Smith, of Halifax, similar leave was granted to Messrs. Walton and Batchelor.

On motion of Mr. Satterthwaite, the Convention proceeded to sit with closed doors, and so continued until the hour of recess.

4 O'CLOCK, P. M.

The Convention re-assembled.

The President laid before the Convention a communication from the Adjutant General, in response to a resolution of this morning, which, on motion of Mr. Warren, was ordered to be printed.

On motion, the Convention proceeded to sit with closed doors, and so continued until a late hour.

The doors having been opened, on motion of Mr. Leak, of Richmond, the Convention adjourned.

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IN CONVENTION, WEDNESDAY, February 12, 1862.

The President called the Convention to order at the usual hour. Prayer by Rev. Thomas E. Skinner, of the Baptist Church.

The journal of yesterday was read and approved.

On motion of Mr. Mebane, leave of absence for the residue of the session was granted to Mr. Smith, of Halifax, from and after to-day.

Mr. Reid offered the following :

*Resolved*, That during the remainder of the present session, no delegate shall speak more than twice on the same question, or occupy the floor more than fifteen minutes the first time, or more than ten minutes the second time, in discussing such question.

*Resolved further*, That the Convention will, on Friday next, at six o'clock, take a recess until ———.

He moved to suspend the rules that the resolutions may be now considered.

After considerable discussion—

Mr. Miller moved to lay the motion to suspend on the table, on which the ayes and noes were ordered, on motion of Mr. Reid, and resulted in the affirmative, as follows:

AYES—Messrs. Allison, Badger, Battle of Edgecombe, Berry, Bogle, Bond, Brodnax, Bryson, Calloway, Cannon, Christian, Dick, Douthitt, Fuller, Gilmer, Graham, Hamlin, Headen, Hicks, Holden, Howard, Jones of Caldwell, Jones of Rowan, Joyce, Kelly, Kittrell, Leak of Richmond, Long, Mann, McNeill of Cumberland, McNeill of Harnett, Meares, Mebane, Merritt, Miller, Murrill, Myers, Osborne, Penland, Phifer, Rayner, Ruffin, Satterthwaite, Shipp, Smith of Macon, Sprouse, Starbuck, Thomas of Carteret, Turner, Washington, Williamson and Wilson—52.

NOES—Messrs. Bunting, Cunningham, Darden, Dickson, Durham, Foster of Ashe, Green, Greenlee, Hargrove, Holmes, Johnston, Lyon, McDowell of Madison, McDuffie, Michal, Moseley, Reid, Rhodes, Royster, Sanders, Schenck, Setzer, Smith of Halifax, Smith of Johnston, Strong of Mecklenburg, Sutherland, Thornton, Williams, Woodfin and Wooten—30.

Mr. Graham introduced an ordinance to establish the Treasury Department, which passed its first reading.

Mr. Satterthwaite, from the committee on that subject, reported an ordinance to provide for the assumption and payment of the Confederate tax, which passed the first reading.

Mr. Woodfin gave notice of an amendment which he would offer when the ordinance shall be considered, which was ordered to be printed.

Mr. Meares was appointed on the committee of the Deep River and Cape Fear Improvement, in place of Mr. Arrington, resigned.

Mr. Leak, of Richmond, offered the following:

*Resolved*, That the Governor be authorized to appoint a Chaplain for our hospital at Petersburg, who shall receive such compensation as is now authorized and prescribed by the Confederate Government;—which lies over one day.

Mr. Gilmer moved to suspend for the present week, the order of the Convention for afternoon sessions, and it was not agreed to.

The orders of the day were now taken up, being the ordinance reported by the Military Committee.

The Convention proceeded to sit with closed doors, and so continued until the hour of recess.

4 O'CLOCK, P. M.

The Convention re-assembled in secret session, and so remained until a late hour, when the doors were opened, and,  
On motion of Mr. Badger, the Convention adjourned.

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IN CONVENTION, THURSDAY, February 13, 1862.

The President called the Convention to order. Prayer by Rev. J. S. Long, of the M. E. Church.

The journal of yesterday was read and approved.

Mr. Moseley presented a petition from sundry citizens of Sampson and Duplin counties, asking the action of the Convention to prevent the destruction of grain, by distillation, which, on his motion, was filed with other papers on the same subject.

On motion of Mr. Schenck, leave of absence for the remainder of the session, was granted Mr. Johnston, from and after to-morrow.

Mr. Foster, of Ashe, from the committee on that subject, reported an ordinance to perfect certain grants of land, which passed its first reading.

On motion of Mr. Mitchell, the rules were suspended, and the ordinance read the second time.

Mr. Meares moved that the ordinance lie on the table, and it was agreed to.

Mr. Leak, of Richmond, introduced an ordinance to prevent the distillation of grain for the period of twelve months, which passed its first reading.

He moved to suspend the rules so that the ordinance may be now considered, which was not agreed to.

Mr. Graham introduced a series of resolutions, relating to the re-enlistment of volunteers, which were ordered to be printed.

Mr. Ruffin introduced an ordinance to amend the Bill of Rights, which passed its first reading.

Mr. Graham gave notice of an amendment to the ordinance to amend the Bill of Rights, reported by the committee, describing the boundaries of the State, which was ordered to be printed.

Mr. Jones, of Rowan, introduced an ordinance to facilitate the raising of volunteers, which passed its first reading.

Mr. Badger offered the following :

*Resolved*, That His Excellency, the Governor, be and he is hereby requested, to communicate to this Convention, copies of the correspondence, if any there be, between the Executive authorities of this State and the Department of War and Navy, touching the defense of Roanoke Island, and the Albemarle and adjacent country.

On his motion the rules were suspended and the resolution adopted.

Mr. McDuffie moved a suspension of the rules in order that the resolutions introduced by Mr. Graham this morning, may be now considered ; and it was agreed to.

The resolutions were then read and adopted.

On motion of Mr. Osborne, the Convention proceeded to sit with closed doors, and so continued until the hour of recess.

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4 O'CLOCK, P. M.

Mr. Woodfin, by consent, gave notice of an amendment to the ordinance providing for the assumption and payment of the Confederate tax, which amendment was ordered to be printed.

The doors were then closed, and the Convention sat in secret session until a late hour. When the doors were again opened,

On motion of Mr. Badger, the Convention adjourned.

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IN CONVENTION, FRIDAY, February 14, 1862.

The President took the chair and called the Convention to order. Prayer by the Rev. Henry Hardie, of the Presbyterian Church.

The journal of yesterday was read and approved.

L. N. B. Battle, delegate elect from the county of Nash, to fill the vacancy occasioned by the resignation of Mr. Arring-



ton, produced his credentials and took his seat in the Convention.

The Convention then proceeded to consider the ordinance to provide North Carolina's quota of Confederate troops, which was reported by Mr. Howard, from the committee on Military Affairs, in lieu of the original, which had been recommitted.

Mr. Sanders moved to strike out the first clause of the second section.

Mr. Battle, of Edgecombe, moved to amend the section by adding to the first clause, as follows: "Unless otherwise ordered by the Confederate government, or unless they may be required for local defense," on which the ayes and noes were ordered, on motion of Mr. Howard, and resulted in the affirmative, as follows:

AYES—Messrs. Badger, Battle of Edgecombe, Battle of Nash, Battle of Wake, Brodnax, Bunting, Cunningham, Darden, Dickson, Durham, Edwards, Fuller, Gorrell, Greenlee, Hargrove, Hicks, Holmes, Howard, Johnston, Jones of Rowan, Kelly, Lyon, McDowell of Madison, McDuffie, Mebane, Miller, Moseley, Osborne, Penland, Phifer, Reid, Rhodes, Royster, Ruffin, Sanders, Schenck, Setzer, Shipp, Smith of Johnston, Starbuck, Strange, Strong of Wayne, Sutherland, Thomas of Carteret, Thompson, Thornton, Turner, Washington, Williams, Woodfin and Wooten—51.

NOES—Messrs. Allison, Berry, Bogle, Bond, Brown, Bryson, Caldwell, Calloway, Cannon, Christian, Dick, Douthitt, Foster of Ashe, Gilmer, Graham, Hearne, Holden, Houston, Jones of Caldwell, Joyce, Leak of Richmond, Long, Mann, Manning, McNeill of Cumberland, Meares, Merritt, Michal, Mitchell, Murrill, Satterthwaite, Smith of Macon, Sprouse, Thomas of Jackson, Warren and Wilson—36.

The question now recurred on the motion of Mr. Sanders, on which the ayes and noes were ordered, and resulted in the affirmative, as follows:

AYES—Messrs. Allison, Badger, Battle of Wake, Berry, Bogle, Bond, Brown, Bryson, Calloway, Cannon, Christian, Cunningham, Dick, Douthitt, Durham, Foster of Ashe, Fuller,

Gilmer, Gorrell, Graham, Hargrove, Hearne, Holden, Johnston, Jones of Caldwell, Joyce, Leak of Richmond, Long, Lyon, Mann, Manning, McDuffie, McNeill of Cumberland, Meares, Mebane, Merritt, Michal, Miller, Mitchell, Murrill, Myers, Rhodes, Royster, Sanders, Satterthwaite, Setzer, Smith of Johnston, Smith of Macon, Sprouse, Starbuck, Warren and Wilson—52.

NOES—Messrs. Battle of Edgecombe, Battle of Nash, Brodnax, Bunting, Caldwell, Dickson, Edwards, Greenlee, Hicks, Holmes, Howard, Jones of Rowan, Kelly, McDowell of Madison, Moseley, Osborne, Penland, Phifer, Reid, Ruffin, Schenck, Shipp, Strange, Strong of Wayne, Sutherland, Thomas of Carteret, Thompson, Thornton, Turner, Washington, Williams, Woodfin and Wooten—33.

Mr. Gilmer moved to strike out the first and second sections, and insert as follows: That it shall be the duty of the Governor, from time to time, to issue his proclamation calling for volunteers to meet the requisitions of the Confederate States, now made or hereafter to be made; Provided, however, that the volunteers heretofore in service, re-enlisting, shall have credit for the time they have served; Provided, further, that volunteers shall not be for a longer term than three years or during the war; and Provided further, that the Governor shall not be required to keep in the Confederate service more than the regular quota of North Carolina.

On this question the ayes and noes were ordered, on motion of Mr. Howard, and resulted in the affirmative, as follows:

AYES—Messrs. Allison, Badger, Battle of Edgecombe, Battle of Nash, Brodnax, Brown, Bunting, Cunningham, Darden, Dickson, Durham, Foster of Ashe, Fuller, Gilmer, Greenlee, Hargrove, Hicks, Holmes, Howard, Johnston, Jones of Caldwell, Jones of Rowan, Kelly, Lyon, McDuffie, McNeill of Cumberland, Miller, Moseley, Murrill, Osborne, Penland, Phifer, Reid, Rhodes, Royster, Ruffin, Schenck, Setzer, Shipp, Starbuck, Strange, Strong of Mecklenburg, Strong of Wayne, Sutherland, Thompson, Thornton, Turner, Warren, Williams, Williamson, Wilson, Woodfin and Wooten—53.

NOES—Messrs. Battle of Wake, Berry, Bogle, Bond, Bryson, Caldwell, Calloway, Cannon, Dick, Douthitt, Gorrell, Graham, Hearne, Holden, Leak of Richmond, Long, Mann, Manning, Mebane, Merritt, Michal, Mitchell, Myers, Rayner, Sanders, Satterthwaite, Smith of Johnston, Smith of Macon, Sprouse, Thomas of Carteret, and Washington—31.

Mr. Badger moved to reconsider the vote by which Mr. Gilmer's amendment was agreed to, and the motion prevailed.

He then moved to amend by striking out the words, "shall be required," in the last proviso, on which the ayes and noes were ordered, and resulted in the negative, as follows :

AYES—Messrs. Berry, Brodnax, Calloway, Cannon, Gorrell, Graham, Hearne, Holden, Jones of Rowan, Long, Mann, Manning, Merritt, Mitchell, Murrill, Myers, Satterthwaite, Setzer and Smith of Macon—19.

NOES—Messrs. Battle of Edgecombe, Battle of Nash, Battle of Wake, Bryson, Bunting, Caldwell, Cunningham, Darden, Dickson, Douthitt, Edwards, Foster of Ashe, Fuller, Gilmer, Greenlee, Hargrove, Hicks, Holmes, Howard, Jones of Caldwell, Joyce, Leak of Richmond, McDowell of Madison, McDuffie, McNeill of Cumberland, Mebane, Michal, Miller, Moseley, Penland, Rayner, Reid, Rhodes, Royster, Ruffin, Sanders, Schenck, Sprouse, Starbuck, Strange, Strong of Mecklenburg, Strong of Wayne, Sutherland, Thomas of Jackson, Thompson, Thornton, Turner, Washington, Williams, Williamson, Wilson, Woodfin and Wooten—53.

The question again recurred upon Mr. Gilmer's amendment, on which the ayes and noes were ordered, and resulted in the affirmative, as follows :

AYES—Messrs. Battle of Edgecombe, Battle of Nash, Brodnax, Bunting, Caldwell, Cunningham, Darden, Dickson, Douthitt, Durham, Edwards, Foster of Ashe, Fuller, Gilmer, Greenlee, Hargrove, Hearne, Hicks, Holmes, Howard, Jones of Caldwell, Jones of Rowan, Joyce, Kelly, Leak of Richmond, Long, Lyon, McDowell of Madison, McDuffie, McNeill of Cumberland, Meares, Mebane, Miller, Moseley, Murrill, Penland, Rayner, Reid, Rhodes, Royster, Ruffin, Schenck, Starbuck, Strange,

Strong of Mecklenburg, Strong of Wayne, Sutherland, Thompson, Thornton, Turner, Williams, Williamson, Wilson, Woodfin and Wooten—53.

NOES—Messrs. Battle of Wake, Berry, Bond, Bryson, Calloway, Cannon, Gorrell, Graham, Holden, Mann, Merritt, Michal, Mitchell, Myers, Sanders, Satterthwaite, Setzer, Smith of Macon, Sprouse, and Thomas of Jackson—21.

The Convention then took a recess.

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4 O'CLOCK, P. M.

The Convention re-assembled and resumed the consideration of the business pending at the hour of recess.

Mr. Howard moved to amend the third section by inserting, after the word "troops," in the third line, the words, "under the present requisition," and it was agreed to.

He also moved to amend the 4th section by inserting the word "nor" after the word "captain," in the second line, and it was agreed to.

Also to amend the 5th section by inserting after the word "service," in the third line, the words, "required by this section," which was agreed to.

Mr. Merritt moved to strike out the section, on which the ayes and noes were ordered.

Pending the consideration of this amendment, by consent, Mr. Holmes offered the following :

*Resolved*, That the President of the Convention be requested to send by telegraph to the President of the Confederate States, the resolutions in relation to our coast defences, adopted on yesterday ; and it was agreed to.

On motion of Mr. Warren, leave of absence was granted to Mr. Meares.

On motion of Mr. Long, leave of absence for a few days was granted to James Page, Principal Doorkeeper.

And then, on motion of Mr. Michal, the Convention adjourned.

IN CONVENTION, SATURDAY, February 15, 1862.

The Convention met, Hon. Wm. A. Graham in the chair, by written request of the President. Prayer by Rev. Frederick FitzGerald, of the P. E. Church.

The journal of yesterday was read and approved.

On motion of Mr. Thornton, leave of absence, after to-day, was granted to Mr. Williams.

On motion of Mr. Strange, leave of absence was granted to Messrs. Bunting and Moseley, until Wednesday next.

On motion of Mr. Gilmer, leave of absence was granted, for to-day, to Mr. Washington.

Mr. Strange presented a communication from the committee of safety of Wilmington, which was ordered to lie on the table.

He also offered the following :

*Resolved*, That the Governor be, and he is hereby authorized to raise, by voluntary enlistment, not exceeding three companies of artillery, to serve at the batteries already erected, or which may hereafter be erected, on the Cape Fear River, below or at and in the vicinity of the town of Wilmington, and that the men constituting such companies be entitled to the same bounty, pay and allowances, as are, by law, allowed to companies in the service of the Confederate States.

*Resolved, further*, That the Governor be authorized to appoint captains and lieutenants to recruit such companies; the term of service of such companies to be for twelve months, or three years or the war, unless sooner discharged by the Governor.

On motion of Mr. Reid, the rules were suspended, and the resolutions put upon their passage.

Mr. Ruffin moved to amend as follows :

*Resolved further*, That such forces, when raised, shall be tendered to the President of the Confederate States, and if accepted, shall be transferred accordingly ; which was agreed to.

Mr. Strange now moved that the resolutions lie on the table, which was not agreed to.

The resolutions, as amended, were then adopted.

Mr. Gilmer, from the committee on that subject, reported an ordinance to complete the Cape Fear and Deep River Improvement, which passed its first reading, and the report, with the ordinance, ordered to be printed.

Mr. McBane offered a resolution in relation to the defects in the revenue laws of the State, which was agreed to.

Mr. Berry introduced an ordinance to prohibit for a limited time the manufacture of spirituous liquors from grain, which passed its first reading.

Mr. Michal introduced an ordinance to restrict the distillation of grain, which passed its first reading.

Mr. Schenck introduced an ordinance for the suppression of distillation, which passed its first reading.

On motion of Mr. Satterthwaite, the Convention went into the consideration of the ordinance to provide for the assumption and payment of the Confederate tax.

Mr. Woodfin moved to amend as follows :

*Be it further ordained*, That in payment of the Treasury notes hereby authorized, or of the bonds in which they may be funded, the funds of the Treasury derived from the ordinary subjects of taxation, shall not be used, but the same shall be raised by a tax on the same subjects of taxation, with the same exemptions that are made in the Act of the Confederate Congress imposing said tax, so that the white polls and persons whose estates do not exceed five hundred dollars shall not be liable to pay any part thereof ; and those who have money in possession or on deposit, shall be liable as under said act of Congress.

*Be it further ordained*, That for the purpose of raising the money to pay said Treasury notes, or bonds, in which they may be funded, an additional tax list shall be made out, setting forth only the subjects of taxation enumerated in the said act of the Confederate Congress, and the Treasurer shall open and keep a separate account of said fund.

The amendments were adopted.

Mr. Satterthwaite moved to amend as follows:—In the second section, strike out the words, “aggregate amount,” and

insert, "sufficient to provide for the payment," which was agreed to.

The question now recurring on the passage of the ordinance as amended on the second reading, the ayes and noes were ordered, on motion of Mr. Satterthwaite, and resulted in the affirmative, as follows:

AYES—Messrs. Battle of Edgecombe, Battle of Nash, Berry, Bogle, Brodnax, Bryson, Caldwell, Calloway, Cannon, Christian, Councill, Cunningham, Darden, Dick, Dickson, Durham, Foster of Ashe, Fuller, Gorrell, Greenlee, Hargrove, Hicks, Houston, Howard, Jones of Caldwell, Jones of Rowan, Joyce, Kelly, Leak of Richmond, Long, Lyon, Mann, McDowell of Madison, McDuffie, McNeill of Cumberland, Michal, Miller, Murrill, Myers, Osborne, Phifer, Reid, Rhodes, Royster, Satterthwaite, Schenck, Shipp, Smith of Macon, Sprouse, Starbuck, Strange, Strong of Mecklenburg, Strong of Wayne, Sutherland, Thomas of Carteret, Thompson, Thornton, Turner, Warren, Williams, Wilson, Woodfin and Wooten—63.

NOES—Messrs. Allison, Battle of Wake, Brown, Hearne, Holden, Manning, Mebane, Merritt, Penland, Ruffin and Setzer—11.

On motion, the rules were suspended, the ordinance read the third time and passed, and ordered to be enrolled.

Mr. Satterthwaite moved to reconsider the vote by which the ordinance passed the third reading, and it was not agreed to.

Mr. Shipp moved to reconsider the vote by which the Convention passed the resolutions of Mr. Strange, and the motion prevailed.

Mr. Strange then moved to strike out of the resolution the words inserted on motion of Mr. Ruffin, and it was agreed to.

The resolutions, as amended, were then adopted and ordered to be enrolled.

Mr. Miller offered a resolution providing for the payment of the Confederate tax collectors, which lies over one day.

On motion of Mr. Howard, the Convention then proceeded to the consideration of the ordinance reported by the committee on Military Affairs.

He moved to amend the 5th section by striking out the words, "with the rank and pay of ——— during the time of service," which was agreed to.

The question then recurred on the motion of Mr. Merritt to strike out the section, and it was agreed to.

Mr. Jones, of Rowan, now moved to insert, in lieu of the section just struck out, the following: "The Governor shall call upon the several captains of volunteer companies from North Carolina, now in the field, or other officers in command, to muster their said companies for re-enlistment, and shall make known to them the earnest desire of this Convention, and of the people of this State, that they shall enlist for three years or for the war; and, in order to forward this purpose, the captains of companies, or officers in command, on the occasion of such muster, shall put the question distinctly to every officer and soldier belonging thereto, whether he will enlist for three years or the war, or not; and those agreeing so to re-enlist, he will cause to subscribe a roll containing such obligation, with their names and places of residence at the time of their entry into service, and the signature of the person so enlisting shall be as binding as if he had been mustered into service; which list he will immediately return to the office of the Adjutant General of the State."

Mr. Starbuck moved to amend the amendment as follows: That the Governor shall, as soon as practicable, by proclamation, require each captain in the service, on or before the 15th of March next, to return to the Adjutant General a list of all the officers and men under his command, with the county of the residence of each, at the time of his entry into service.

The Governor shall also make known in his proclamation to each company of twelve months men the bounty provided by this ordinance and the Act of the Confederate Congress, to be paid to each person who shall re-enlist for three years or during the war, and that they shall be permitted to elect their own officers. He shall further inform them in his proclamation of the action of this Convention, urging the Confederate Congress to provide pensions or bounties for the widows and children of



those who die in the service ; and the Governor shall furnish each Captain for distribution among his men, ten copies of said proclamation.

That within thirty days from the time that each company shall be furnished as aforesaid, with the Governor's proclamation, he shall cause such company to be mustered for re-enlistment, by the officers commanding the same ; who shall submit to each volunteer the question whether he will re-enlist or not, and shall make out an accurate company roll of the names of all who re-enlist, and return the same forthwith to the Adjutant General.

That on the day on which the term of any volunteer company shall expire, or as soon thereafter as may be, the volunteers so re-enlisting, among themselves, or with any new volunteers, shall proceed to organize their company and elect their officers ; and each volunteer thus re-enlisting shall have credit for the time he may have already served.

The question was put and the amendment was not adopted.

The question recurred on the amendment of Mr. Jones, and it was agreed to.

On motion of Mr. Smith, of Macon, the 6th and 7th sections were merged into one, and the word "other," in the last clause, was stricken out.

Mr. Howard moved to amend the next section by inserting after the word "volunteers," the words, "not re-enlisting in their present organization," and add, "and the company commissioned officers shall elect their field officers," and the amendments were agreed to.

Mr. Jones, of Rowan, moved to add the following : "and the commissions of officers re-appointed, shall bear the date of their former commissions," and it was agreed to.

Mr. Howard offered the following as a new section :

"That the Governor shall have power to appoint captains and lieutenants to recruit men for the service as aforesaid, and to organize the men so recruited into companies and regiments, and the company commissioned officers shall, in all cases, elect their field officers, under the rules now prescribed : *Provided*,

*however*, That no person under such appointment shall receive a commission or pay, except as follows: When a person tenders forty privates, who, in writing, shall have agreed to serve under him, a captain's commission; twenty-five privates, a first lieutenant's commission; and fifteen privates, a second lieutenant's commission." The amendment was adopted.

[A message was received from His Excellency, the Governor, at the hands of his Private Secretary.]

Mr. Lyon moved to amend the 8th section of the ordinance, as follows: "That the sum of four dollars per month shall be paid by the State to all privates, non-commissioned officers and musicians, volunteering for the war, during the whole term of actual service, which amendment was not agreed to.

Mr. Howard moved to amend by inserting after the word, "bounty," the words, "deducting the bounty already paid," which was agreed to; also, add as follows: "Provided, however, that any soldier may permit his bounty to remain in the Treasury, and draw the same with interest at the end of the year from the time it is due, or at the time of his discharge," which was also agreed to.

Mr. Battle, of Wake, from the committee on Enrollments, reported, as correctly enrolled, the resolutions relating to the defenses at or near Wilmington, and the same were duly ratified.

The consideration of the pending ordinance was then resumed.

Mr. Hargrove moved to amend the second proviso, by striking out the words, "or during the war," and inserting, "but to be sooner discharged in case the present war terminates before the expiration of that time," and it was agreed to.

The ordinance then passed the second reading as amended, and was ordered to be printed.

On motion of Mr. Battle, of Wake, leave of absence until Tuesday next, was granted to Mr. Sanders.

On motion of Mr. Cunningham, leave of absence was granted to Messrs. Hargrove and Royster; on motion of Mr. Strong, to Mr. Greenlee from and after Monday; on motion of Mr. Caldwell, to Mr. McDowell, of Madison; and to Mr. Strange until Wednesday, on motion of Mr. Howard.

On motion of Mr. Bond, the doors were closed, and the Convention remained in secret session for some time. When the doors were again opened,

On motion of Mr. Graham, the Convention adjourned.

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IN CONVENTION, MONDAY, February 17, 1862.

The Convention met, Hon. W. A. Graham in the Chair.

The journal of Saturday was read and approved.

The President announced that he had received a dispatch from the President of the Confederate States, whereupon, on motion of Mr. Reid, the Convention proceeded to sit with closed doors.

After remaining some time in secret session, the doors were again opened.

Mr. Christian moved to take up the ordinance in relation to the Cheraw and Coalfields Railroad.

Mr. Schenck moved to lay that motion on the table, on which the ayes and noes were ordered, on motion of Mr. Cunningham, and resulted in the affirmative, as follows:

AYES—Messrs. Battle of Edgecombe, Battle of Nash, Battle of Wake, Brown, Calloway, Councill, Cunningham, Darden, Dickson, Durham, Fuller, Greenlee, Hargrove, Hicks, Houston, Howard, Jones of Caldwell, Jones of Rowan, Kelly, Leak of Richmond, Lyon, McDowell of Madison, McDuffie, Michal, Mitchell, Osborne, Penland, Rhodes, Ruffin, Satterthwaite, Schenck, Setzer, Shipp, Smith of Johnston, Sprouse, Strong of Mecklenburg, Sutherland, Turner, Warren, Williams and Wooten—41.

NOES—Messrs. Allison, Badger, Berry, Bogle, Brodnax, Cannon, Christian, Douthitt, Foster of Ashe, Foster of Randolph, Gilmer, Gorrell, Graham, Hearne, Headen, Holden, Joyce, Long, Mann, Manning, Murrill, Myers, Phifer, Reid, Spruill of Tyrrell, Starbuck, Wilson and Woodfin—29.

Mr. Smith, of Macon, from the committee on Enrollments, reported as correctly enrolled, the ordinance to provide for the assumption and payment of the Confederate tax, and the same was duly ratified in open Convention.

Mr. Schenck offered the following :

*Resolved*, That the Quartermaster and Commissary at Raleigh, and other Railroad connections, if in their power, be directed to furnish all volunteers who may be necessarily detained at such points, food and lodging during such necessary detention, and be allowed the cost of the same in the settlement of their accounts ; and the resolution was adopted.

The ordinance to provide for the office of Lieutenant-Governor was then read the second time.

Mr. Woodfin moved that it lie on the table, on which the ayes and noes were ordered, on motion of Mr. Jones, of Rowan, and resulted in the affirmative, as follows :

AYES—Messrs. Battle of Edgecombe, Battle of Nash, Berry, Bogle, Bond, Brown, Caldwell, Calloway, Cunningham, Darden, Dickson, Douthitt, Durham, Graham, Greenlee, Hargrove, Hearne, Headen, Hicks, Howard, Jones of Caldwell, Jones of Rowan, Kelly, Long, Lyon, McDowell of Madison, McDuffie, Michal, Miller, Murrill, Osborne, Penland, Phifer, Reid, Ruffin, Satterthwaite, Schenck, Setzer, Shipp, Strong of Mecklenburg, Sutherland, Thomas of Carteret, Thornton, Williams, Williamson, Woodfin and Wooten—47.

NOES—Messrs. Allison, Badger, Battle of Wake, Brodnax, Cannon, Christian, Councill, Foster of Ashe, Foster of Randolph, Fuller, Gilmer, Gorrell, Holden, Houston, Joyce, Mann, Manning, Mitchell, Myers, Rhodes, Smith of Johnston, Smith of Macon, Sprouse, Spruill of Tyrrell, Starbuck, Turner, Warren and Wilson—29.

Mr. Woodfin moved to take up the resolution introduced some days ago by Mr. Reid, relating to discussion, and the recess of the Convention, which was agreed to.

[By consent, Mr. Battle, of Wake, from the committee on Enrollments, reported, as correctly enrolled, the resolution of Mr. Schenck, passed this morning, in relation to detained volunteers, and the same was duly ratified.]

Resuming the pending question, Mr. Reid withdrew his first resolution.

Mr. Long moved to fill the blank with "the third Monday in May," which was not agreed to.

Mr. Smith, of Johnston, moved to insert "the first Monday in August," which was not agreed to.

Mr. Michal moved to insert "the first Monday in May," which was not agreed to.

He then moved to insert "third Monday in April," which was agreed to.

Mr. Gilmer moved to strike out, "Friday, 21st," and insert, "Friday, 28th."

Mr. Satterthwaite moved to lay the whole subject on the table, on which the ayes and noes were ordered, on motion of Mr. Setzer, and resulted the negative—there being a tie vote, as follows:

AYES—Messrs. Allison, Badger, Battle of Edgecombe, Battle of Nash, Battle of Wake, Berry, Calloway, Christian, Councill, Dickson, Fuller, Gilmer, Gorrell, Holden, Howard, Jones of Rowan, Joyce, Leak of Richmond, Long, Mann, Manning, McDuffie, Meares, Mitchell, Osborne, Phifer, Rhodes, Satterthwaite, Schenck, Shipp, Smith of Macon, Sprouse, Starbuck, Strong of Mecklenburg, Turner, Warren and Wilson—37.

NOES—Messrs. Bogle, Brodnax, Brown, Caldwell, Cannon, Cunningham, Darden, Douthitt, Durham, Foster of Ashe, Foster of Randolph, Graham, Greenlee, Hargrove, Hearne, Headen, Hicks, Houston, Jones of Caldwell, Kelly, Lyon, McDowell of Madison, Michal, Miller, Murrill, Penland, Reid, Ruffin, Setzer, Smith of Johnston, Sutherland, Thomas of Carteret, Thornton, Williams, Williamson, Woodfin and Wooten—37.

The question recurred on the amendment offered by Mr. Gilmer, on which the ayes and noes were ordered, on motion of Mr. Darden, and resulted in the negative, as follows:

AYES—Messrs. Allison, Badger, Battle of Wake, Brodnax, Calloway, Christian, Councill, Foster of Randolph, Gilmer, Gorrell, Holden, Joyce, Leak of Richmond, Long, Mann, Manning, Murrill, Osborne, Rhodes, Smith of Macon, Sprouse, Starbuck, Thomas of Carteret, Turner, Warren and Wilson—26.

NOES—Messrs. Battle of Edgecombe, Battle of Nash, Berry, Bogle, Bond, Brown, Caldwell, Cunningham, Darden, Dickson, Douthitt, Durham, Foster of Ashe, Fuller, Graham, Greenlee,

Hargrove, Hearne, Headen, Hicks, Houston, Howard, Jones of Caldwell, Jones of Rowan, Kelly, Lyon, McDowell of Madison, McDuffie, Michal, Miller, Penland, Phifer, Reid, Ruffin, Satterthwaite, Schenck, Setzer, Shipp, Smith of Johnston, Strong of Mecklenburg, Sutherland, Thornton, Williams, Williamson, Woodfin and Wooten—46.

Mr. Reid moved to strike out "21st" and insert "22d."

Mr. Jones, of Rowan, moved to amend the amendment, by inserting "25th" instead of "22d."

Pending the consideration of which, the hour arrived, and the Convention took a recess.

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4 O'CLOCK, P. M.

Mr. Ruffin, from the Judiciary committee, reported an ordinance in relation to the Judicial Department of this State, which passed its first reading.

Mr. Gilmer offered an amendment to the rules, providing for a call of the previous question on all subjects under debate in the Convention; which lies over one day.

The Convention resumed the consideration of the matter pending at the hour of recess, the question being on the amendment offered by Mr. Jones, of Rowan, on which the ayes and noes were ordered, on motion of Mr. Schenck, and resulted in the affirmative, as follows:

AYES—Messrs. Allison, Badger, Battle of Nash, Battle of Wake, Bogle, Brodnax, Calloway, Cannon, Christian, Council, Dickson, Foster of Ashe, Fuller, Gilmer, Hicks, Holden, Jones of Rowan, Joyce, Leak of Richmond, Long, Mann, Manning, McDuffie, McNeill of Cumberland, Miller, Mitchell, Murrill, Phifer, Rhodes, Ruffin, Shipp, Smith of Johnston, Smith of Macon, Sprouse, Starbuck, Thomas of Carteret, Turner, Warren and Wilson—39.

NOES—Messrs. Berry, Caldwell, Cunningham, Darden, Douthitt, Durham, Graham, Greenlee, Hargrove, Hearne, Headen, Houston, Howard, Jones of Caldwell, Kelly, Lyon, McDowell of

Madison, Michal, Penland, Reid, Satterthwaite, Schenck, Setzer, Strong of Mecklenburg, Sutherland, Thornton, Williamson, Woodfin and Wooten—29.

Mr. Reid offered the following amendment: "Unless sooner convened by the President, or in case of his death or resignation, subject to be convened at the call of Messrs. Ruffin, Badger, Graham, Osborne and Brown, members of the Convention, or any three of them," and it was agreed to.

Mr. Darden moved to strike out all after the words, "Tuesday next," on which the ayes and noes were ordered, on motion of Mr. Badger, and resulted in the negative, as follows:

AYES—Messrs. Battle of Edgecombe, Battle of Nash, Caldwell, Cunningham, Darden, Dickson, Durham, Foster of Ashe, Greenlee, Hargrove, Hicks, Howard, Lyon, McDowell of Madison, McDuffie, Michal, Miller, Mitchell, Murrill, Penland, Reid, Schenck, Setzer, Smith of Johnston, Strong of Mecklenburg, Sutherland, Thornton, Williams and Wooten—29.

NOES—Messrs. Allison, Badger, Battle of Wake, Berry, Bogle, Brodnax, Calloway, Cannon, Christian, Councill, Douthitt, Fuller, Gilmer, Gorrell, Graham, Hearne, Headen, Holden, Houston, Jones of Caldwell, Jones of Rowan, Joyce, Kelly, Leak of Richmond, Long, Mann, Manning, McNeill of Cumberland, Phifer, Rhodes, Ruffin, Satterthwaite, Smith of Macon, Sprouse, Starbuck, Thomas of Carteret, Turner, Warren, Williamson, Wilson and Woodfin—41.

The question recurred on the passage of the resolution as amended, on which the ayes and noes were ordered, on motion of Mr. Manning, and resulted in the affirmative, as follows:

AYES—Messrs. Allison, Battle of Edgecombe, Battle of Nash, Bogle, Bond, Brodnax, Brown, Calloway, Christian, Councill, Cunningham, Darden, Dickson, Douthitt, Durham, Foster of Ashe, Graham, Hargrove, Hearne, Headen, Hicks, Holden, Houston, Jones of Caldwell, Jones of Rowan, Joyce, Kelly, Leak of Richmond, Long, Lyon, McDowell of Madison, McDuffie, McNeill of Cumberland, Michal, Miller, Murrill, Osborne, Phifer, Reid, Rhodes, Ruffin, Setzer, Smith of Macon, Starbuck, Strong of Mecklenburg, Sutherland, Thomas of Car-

teret, Thornton, Williams, Williamson, Wilson, Woodfin and Wooten—53.

NOES—Messrs. Badger, Battle of Wake, Berry, Caldwell, Cannon, Fuller, Gorrell, Mann, Manning, Meares, Mitchell, Penland, Satterthwaite, Schenck, Shipp, Smith of Johnston, Sprouse, Turner and Warren—19.

By consent, Mr. Michal offered the following :

*Resolved*, That from and after to-day, this Convention will meet at 7 o'clock, P. M., after taking a recess at the close of the afternoon session. Lies over one day.

Mr. Howard moved that the Convention proceed to the consideration of the ordinance reported by the Military Committee, on which the ayes and noes were ordered, on motion of Mr. Badger, and resulted in the affirmative, as follows:

AYES—Messrs. Battle of Edgecombe, Battle of Nash, Battle of Wake, Berry, Bogle, Bond, Brodnax, Brown, Caldwell, Calloway, Cannon, Council, Cunningham, Darden, Dickson, Douthitt, Durham, Foster of Ashe, Fuller, Gorrell, Graham, Hargrove, Hearne, Headen, Hicks, Holden, Howard, Jones of Caldwell, Joyce, Kelly, Leak of Richmond, Long, Lyon, McDowell of Madison, McDuffie, McNeill of Cumberland, Michal, Miller, Mitchell, Murrill, Osborne, Penland, Phifer, Reid, Rhodes, Ruffin, Satterthwaite, Schenck, Setzer, Shipp, Smith of Johnston, Starbuck, Strong of Mecklenburg, Sutherland, Thornton, Turner, Williams, Williamson, Woodfin and Wooten—60.

NOES—Messrs. Allison, Badger, Christian, Jones of Rowan, Meares, Smith of Macon, Sprouse, Warren and Wilson—9.

Mr. Graham moved to amend the 4th section of the ordinance by inserting after the word, "command," in the 4th line, the words "of companies," which was agreed to.

He moved to amend further by striking out the 7th section.

Mr. Gorrell moved to amend the said 7th section as follows: Provided further, that such payments may be made in treasury notes, unless otherwise provided by law; which was agreed to.

Mr. Howard moved to amend the same section by striking out the words, "who shall serve," and inserting the words, "whose term of service shall be," which was agreed to.



The question then recurring on the motion of Mr. Graham to strike out the section, the ayes and noes were ordered, on motion of Mr. Howard, and resulted in the negative, as follows:

AYES—Messrs. Allison, Badger, Berry, Calloway, Council, Graham, Kelly, Manning, Mitchell, Ruffin, Satterthwaite and Sprouse—12.

NOES—Messrs. Battle of Edgecombe, Battle of Nash, Battle of Wake, Bogle, Bond, Brodnax, Brown, Caldwell, Cannon, Cunningham, Darden, Dickson, Douthitt, Durham, Foster, of Ashe, Foster of Randolph, Foy, Fuller, Gorrell, Green, Greenlee, Hargrove, Headen, Hicks, Holden, Houston, Howard, Jones of Caldwell, Jones of Rowan, Joyce, Kittrell, Leak of Richmond, Long, Lyon, McDowell of Madison, McDuffie, Meares, Mebane, Michal, Miller, Murrill, Myers, Osborne, Penland, Phifer, Reid, Rhodes, Royster, Schenck, Setzer, Shipp, Smith of Johnston, Starbuck, Strong of Mecklenburg, Sutherland, Thornton, Turner, Warren, Williams, Williamson, Wilson, Woodfin and Wooten—63.

Mr. Myers moved that the Convention do now adjourn, and it was not agreed to.

Mr. Green moved to amend the second section of the ordinance under consideration, by inserting before the word "and," the words, "one-third of," and it was not agreed to.

Mr. Starbuck moved to amend section 4, line 3, by inserting, after the word "field," the words, "for twelve months," which was agreed to.

The question was then put on the final passage of the ordinance, and decided in the affirmative.

Mr. Howard moved to reconsider the vote by which the above ordinance passed the third reading, and the motion did not prevail.

On motion of Mr. Setzer, the Convention adjourned.

## IN CONVENTION, TUESDAY, February 18, 1862.

The Convention met, Hon. William A. Graham in the Chair.  
The journal of yesterday was read and approved.

On motion of Mr. Fuller, leave of absence was granted to Mr. Sutherland.

On motion of Mr. Michal, the resolution introduced by him on yesterday, in relation to the sessions of the Convention, was then taken up for consideration.

Mr. Satterthwaite moved to amend, by providing that the morning session expire at three o'clock, with a recess until seven.

On motion of Mr. Dickson, the resolution was ordered to lie on the table.

Mr. Starbuck introduced an ordinance concerning the organization of the drafted militia, which passed its first reading.

The President laid before the Convention a communication from the Board of Claims, which, on motion of Mr. Reid, was referred to a select committee.

Mr. Long moved that the document accompanying be printed. On this question, the ayes and noes were ordered, on motion of Mr. Badger, and resulted as follows:

AYES—Messrs. Badger, Battle of Edgecombe, Battle of Nash, Battle of Wake, Berry, Bond, Calloway, Cannon, Councill, Cunningham, Douthitt, Foster of Ashe, Foster of Randolph, Graham, Green, Greenlee, Headen, Howard, Jones of Caldwell, Jones of Rowan, Kelly, Kittrell, Long, Lyon, Manning, McDuffie, McNeill of Cumberland, Murrill, Myers, Phifer, Reid, Rhodes, Royster, Shipp, Smith of Johnston, Speed, Sprouse, Spruill of Tyrrell, Starbuck, Thornton, Warren, Williams, Wilson and Wooten—44.

NOES—Messrs. Allison, Bogle, Brodnax, Brown, Darden, Dickson, Durham, Foy, Fuller, Gorrell, Hearne, Hicks, Holden, Houston, Joyce, Leak of Richmond, Mann, McDowell of Madison, Mebane, Michal, Miller, Mitchell, Penland, Ruffin, Satterthwaite, Schenck, Setzer, Smith of Macon, Strong of Mecklenburg, Sutherland, Thomas of Jackson, Turner and Woodfin—33.

The rule on yesterday introduced by Mr. Gilmer, was now taken up for consideration.

Mr. Howard moved that it lie on the table.

On this question the ayes and noes were ordered, on motion of Mr. Badger, and resulted as follows:

AYES—Messrs. Allison, Battle of Edgecombe, Battle of Nash, Battle of Wake, Berry, Bond, Calloway, Cannon, Dickson, Douthitt, Foy, Fuller, Graham, Headen, Houston, Howard, Jones of Caldwell, Kelly, Leak of Richmond, Long, Mann, Manning, McDowell of Madison, McDuffie, McNeill of Cumberland, Mebane, Murrill, Myers, Penland, Rhodes, Ruffin, Satterthwaite, Setzer, Shipp, Speed, Sprouse, Starbuck, Strong of Mecklenburg, Sutherland, Thornton, Turner, Woodfin and Wooten—43.

NOES—Messrs. Badger, Brown, Cunningham, Darden, Durham, Gorrell, Green, Greenlee, Hicks, Holden, Jones of Rowan, Joyce, Michal, Miller, Mitchell, Osborne, Phifer, Reid, Schenck, Smith of Johnston, Thomas of Jackson, Warren, Williams, Williamson and Wilson—25.

Mr. Woodfin moved to take up for consideration the resolution in relation to the issue of Bonds to the Western North Carolina Railroad Company.

On motion of Mr. Badger, said motion was ordered to lie on the table.

On motion of Mr. Woodfin, the committee on Finance was authorized to sit during the Convention.

The President announced that he had received a communication: whereupon, on motion of Mr. Badger, the Convention proceeded to sit with closed doors. After so remaining for some time, the doors were opened, and the Convention took a recess until 4 o'clock, P. M.

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4 O'CLOCK, P. M.

The Convention met. The President announced the following Committees:

*On the Report of the Board of Claims*—Messrs. Mebane, Long, Miller, Williamson and Phifer.

*On the Governor's Communication*—Messrs. Osborne, McDuffie, Foster of Randolph, Warren and Brown.

Mr. Leak, of Richmond, moved to take up the ordinance reported by him, in relation to the distillation of grain; which was agreed to.

The ordinance having been read, he moved to amend by striking out all after the ordaining clause, and inserting in lieu thereof an ordinance in substance prohibiting the distillation of liquor from grain after twenty days from the passage of the ordinance, for one year, subject, however, to repeal by the General Assembly; the punishment in case of conviction, to be a fine of not less than five hundred dollars, and imprisonment not less than one month; also making it the duty of the Judge of the Superior Court to give the ordinance in charge to the Grand Jury.

Mr. Berry moved to amend the amendment by striking out all after the ordaining clause, providing for the prohibition of the manufacture from the 15th of March until the 4th Monday of November, punishing offenders by fine or imprisonment, the fine to be not less than \$100, and the imprisonment not less than thirty days, and a forfeiture for each offence of \$1,000, one-half to the person who shall sue for the same, and the other half to the poor of the county.

The amendment to the amendment prevailed, and the question recurring on the passage of the ordinance, as amended, its second reading, it was agreed to.

On motion, the rules were suspended, and the ordinance read the third time.

Mr. Michal moved to amend by striking out all after the ordaining clause and inserting a substitute, providing that the price of all liquors distilled from grain, after the ratification of the ordinance, shall be limited to seventy-five cents per gallon, and each gallon sold or exchanged for a greater price shall subject the seller or exchanger to a forfeiture of \$500 for each offence. Providing, also, that each distiller shall render, on oath, a list of the persons to whom he has sold liquor, the number of gallons sold, and bushels of grain distilled within twelve months, and pay

a tax of twenty-five cents a gallon on all he has sold. Providing, also, that any distiller who shall make a false list shall be guilty of misdemeanor, and on conviction, pay a fine of \$500, and be imprisoned for six months. Providing, also, that any person who shall carry or cause to be carried out of the State, any liquor limited in price by this ordinance, or sell to a non-resident, or act as the agent of such for the purchase of spirits, shall be guilty of a misdemeanor, and on conviction, pay a fine of not less than \$500, and be imprisoned not less than six months for each offence. Providing, also, that any person who shall deliver or transfer the possession of such spirits or liquor as has been limited in price by this ordinance, in pursuance of any bargain, contract or engagement, made beyond the jurisdiction of the courts of the county in which said spirits or liquor has been delivered or transferred, and shall receive a greater consideration than seven-five cents per gallon for the same, he shall be tried in the county where such dealing or transfer was made, and on conviction, shall pay a fine of not less than \$500, and be imprisoned not less than six months. Providing, further, that the ordinance shall be in force during the war, and no longer.

To perfect the ordinance, prior to the question on the amendment, Mr. Graham moved to strike out all that part relating to a forfeiture, which was agreed to.

The question now recurring on the amendment of Mr. Michal, the ayes and noes were ordered, on motion of Mr. Battle, of Nash, and resulted as follows:

**AYES**—Messrs. Battle of Edgecombe, Brown, Cunningham, Douthitt, Holden, Kelly, Lyon, McDowell of Madison, Michal, Mitchell, Osborne, Phifer, Sanders, Shipp, Smith of Johnston, Spruill of Tyrrell, and Turner—17.

**NOES**—Messrs. Allison, Badger, Battle of Nash, Battle of Wake, Berry, Bogle, Caldwell, Calloway, Cannon, Christian, Dickson, Foster of Ashe, Foster of Randolph, Foy, Fuller, Gorrell, Graham, Green, Greenlee, Hearne, Headen, Hicks, Houston, Jones of Caldwell, Jones of Rowan, Joyce, Kittrell, Leak of Richmond, Long, Mann, Manning, McDuffie, McNeill of Harnett, Meares, Mebane, Miller, Murrill, Myers, Reid,

Rhodes, Royster, Ruffin, Schenck, Setzer, Smith of Macon, Speed, Sprouse, Starbuck, Strong of Mecklenburg, Thomas of Jackson, Thornton, Warren, Washington, Williams, Wilson and Wooten—57.

Mr. Battle moved to amend by striking out "the 4th Thursday in November"; which was not agreed to.

Mr. Gorrell moved to amend by striking out all after the ordaining clause, and inserting an ordinance providing for a tax of twenty-five cents a gallon on each gallon distilled from grain, requiring each distiller to render, on oath, the number of gallons distilled, subjecting each distiller failing to render the list to a forfeiture of five hundred dollars, and making false swearing as to the number of gallons, perjury.

On motion of Mr. Shipp, the Convention adjourned.

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#### IN CONVENTION, WEDNESDAY, February 19, 1862.

The Convention met, the President in the Chair.

The journal of yesterday was read and approved.

Mr. Graham presented a petition from the officers of the 19th Regiment North Carolina Troops, Col. Spruill, asking that the regiment be supplied with horses, arms and accoutrements, which, on his motion, was referred to a select committee.

The President appointed the following: Messrs. Graham, Woodfin, Schenck, Barnes and Cunningham.

Mr. Battle, of Wake, offered a resolution authorizing a loan to Tappey & Lumsden, to insure the establishment of an iron manufactory in the county of Nash, which, on his motion, was referred to a select committee.

The President appointed Messrs. Battle of Wake, Bogle, Allison, Thomas of Carteret, and Washington.

The unfinished business of yesterday was now taken up, the question being on the amendment proposed by Mr. Gorrell.

Mr. Gorrell withdrew his amendment, and offered another, providing, in addition, for a tax of ten cents on each gallon of liquor distilled from fruit, reserving the money arising from

finés and forfeitures to reimburse the Treasury for bounties paid to soldiers; and giving power to the General Assembly to repeal or modify the ordinance; it also provides a tax of fifty cents on each gallon of liquor brought into the State.

On this question the ayes and noes were ordered, on motion of Mr. Green.

Mr. Jones, of Rowan, asked a division of the question, and the vote was first taken on striking out, and resulted in the negative, as follows:

AYES—Messrs. Allison, Battle of Nash, Brodnax, Brown, Calloway, Christian, Douthitt, Durham, Foster of Ashe, Foster of Randolph, Gilmer, Gorrell, Headen, Holden, Jones of Rowan, Joyce, Kelly, Long, McDowell of Madison, McDuffie, McNeill of Cumberland, Mebane, Michal, Mitchell, Murrill, Osborne, Phifer, Reid, Ruffin, Satterthwaite, Setzer, Shipp, Sprouse, Starbuck, Williamson, Wilson and Wooten—37.

NOES—Messrs. Badger, Battle of Edgecombe, Battle of Wake, Berry, Bogle, Caldwell, Cannon, Cunningham, Darden, Dick, Dickson, Edwards, Foy, Fuller, Graham, Green, Hearne, Hicks, Holmes, Houston, Kittrell, Leak of Richmond, Lyon, Mann, Manning, McNeill of Harnett, Meares, Miller, Penland, Rhodes, Sanders, Schenck, Smith of Johnston, Smith of Macon, Speed, Strange, Strong of Mecklenburg, Strong of Wayne, Sutherland, Thomas of Jackson, Thompson, Thornton, Turner, Warren, Washington and Woodfin—47.

Mr. Sprouse moved to amend by adding that manufacturers of cotton yarns and cloth, should not sell yarns at more than thirty cents per pound, shirtings at more than fifteen cents, and osnaburgs at more than twenty cents per square yard; providing also that they shall neither sell their products out of the State, nor to non-residents, the penalties for violations of this part of the ordinance, for first offense, of a fine of not less than one hundred dollars, and for the second offense, imprisonment of not more than one month.

The hour having arrived, the Convention took a recess.

4 O'CLOCK, P. M.

The Convention re-assembled, when Mr. Battle, of Wake, from the committee on Enrollments, reported as correctly enrolled, an ordinance to raise North Carolina's quota of Confederate troops, which was duly ratified in open Convention.

Mr. Graham, from the committee on the petition of officers of the 19th Regiment N. C. troops, reported a resolution on the subject, which, on a suspension of the rules, was now considered and agreed to.

The morning business was then resumed, the pending question being on the amendment of Mr. Sprouse.

On this question the ayes and noes were ordered, on motion of Mr. Sprouse, and resulted in the negative, as follows:

AYES—Messrs. Calloway, Christian, Cunningham, Dick, Douthitt, Durham, Foster of Ashe, Gilmer, Hearne, Headen, Jones of Rowan, Joyce, Leak of Richmond, Lyon, Mann, McNeill of Cumberland, Murrill, Satterthwaite, Setzer, Smith of Johnston, Sprouse, Starbuck, Thornton, Wilson and Wooten—25.

NOES—Messrs. Allison, Badger, Barnes, Battle of Edgecombe, Battle of Nash, Battle of Wake, Berry, Bogle, Brown, Caldwell, Cannon, Darden, Dickson, Edwards, Foy, Fuller, Gorrell, Graham, Green, Hicks, Holden, Holmes, Houston, Howard, Jones of Caldwell, Kelly, Long, Manning, McDuffie, McNeill of Harnett, Meares, Mebane, Miller, Mitchell, Osborne, Penland, Phifer, Reid, Rhodes, Royster, Ruffin, Sanders, Schenck, Shipp, Smith of Macon, Speed, Spruill of Tyrrell, Strange, Strong of Mecklenburg, Strong of Wayne, Sutherland, Turner, Warren, Washington and Woodfin—56.

Mr. Badger moved the following: "Provided that the producers of any grain specified in this ordinance, over and above what may be necessary for his own consumption, shall be allowed to distil the same."

Mr. Ruffin, moved to amend the amendment as follows: "That distillers shall be permitted to distil all grain already purchased by them for that purpose," which was not agreed to.



The question recurred on the amendment of Mr. Badger, on which the ayes and noes were ordered, on motion of Mr. Battle, of Wake, and resulted in the affirmative, as follows:

AYES—Messrs. Badger, Barnes, Battle of Nash, Battle of Wake, Berry, Bogle, Brown, Calloway, Cannon, Christian, Darden, Dick, Douthitt, Edwards, Foster of Ashe, Foster of Randolph, Graham, Green, Hearne, Holden, Jones of Rowan, Joyce, Kelly, Leak of Richmond, Mann, Manning, McNeill of Cumberland, Meares, Mebane, Michal, Miller, Murrill, Osborne, Phifer, Reid, Ruffin, Sanders, Satterthwaite, Schenck, Setzer, Shipp, Smith of Johnston, Smith of Macon, Sprouse, Starbuck, Strong of Wayne, Thomas of Jackson, Thornton, Turner, Warren, Washington, Woodfin and Wooten—53.

NOES—Messrs. Allison, Battle of Edgecombe, Brodnax, Caldwell, Cunningham, Dickson, Durham, Fuller, Gilmer, Gorrell, Headen, Hicks, Holmes, Houston, Howard, Jones of Caldwell, Long, Lyon, McDuffie, McNeill of Harnett, Mitchell, Penland, Rhodes, Royster, Speed, Spruill of Tyrrell, Strange, Strong of Mecklenburg, Sutherland and Wilson—30.

Mr. Ruffin moved to amend by striking out "March" and inserting "April," which was not agreed to.

He moved to strike out "15th of March," and insert "1st of April," on which the ayes and noes were ordered, on his motion, and resulted in the affirmative, as follows:

AYES—Messrs. Barnes, Battle of Nash, Battle of Wake, Brodnax, Brown, Calloway, Cannon, Christian, Council, Dickson, Douthitt, Durham, Foster of Ashe, Foster of Randolph, Gibner, Gorrell, Graham, Hearne, Headen, Holden, Jones of Rowan, Joyce, Leak of Richmond, Long, Mann, Manning, McDowell of Madison, McDuffie, McNeill of Cumberland, McNeill of Harnett, Meares, Mebane, Michal, Miller, Mitchell, Murrill, Osborne, Phifer, Reid, Ruffin, Satterthwaite, Setzer, Shipp, Sprouse, Starbuck, Thornton, Warren, Wilson, Woodfin and Wooten—50.

NOES—Messrs. Allison, Badger, Battle of Edgecombe, Berry, Bogle, Caldwell, Cunningham, Darden, Dick, Edwards, Fuller, Green, Hicks, Holmes, Houston, Howard, Jones of Caldwell,

Kelly, Lyon, Penland, Rhodes, Royster, Sanders, Schenck, Smith of Johnston, Smith of Macon, Speed, Spruill of Tyrrell, Strange, Strong of Mecklenburg, Strong of Wayne, Sutherland, Thomas of Jackson, Turner and Washington—35.

Mr. Strong, of Wayne, moved to reconsider the vote by which the amendment of Mr. Badger was adopted, on which the ayes and noes were ordered, on motion of Mr. Schenck, and resulted in the negative, as follows:

AYES—Messrs. Battle of Edgecombe, Berry, Bogle, Brodnax, Caldwell, Cunningham, Darden, Dick, Dickson, Foy, Fuller, Graham, Green, Hicks, Holden, Holmes, Houston, Howard, Jones of Caldwell, Kelly, Leak of Richmond, Lyon, Manning, McNeill of Harnett, Mearns, Myers, Penland, Phifer, Rhodes, Royster, Schenck, Smith of Macon, Spruill of Tyrrell, Strange, Strong of Mecklenburg, Strong of Wayne, Sutherland, Turner, Washington and Woodfin—40.

NOES—Messrs. Allison, Badger, Barnes, Battle of Nash, Battle of Wake, Brown Calloway, Cannon, Christian, Douthitt, Durham, Edwards, Foster of Ashe, Foster of Randolph, Gilmer, Gorrell, Hearne, Headen, Jones of Rowan, Joyce, Long, Mann, McDowell of Madison, Mebane, Michal, Miller, Murill, Osborne, Reid, Ruffin, Sanders, Satterthwaite, Setzer, Shipp, Smith of Johnston, Speed, Sprouse, Starbuck, Thornton, Warren and Wilson—41.

Mr. Gorrell moved to amend the ordinance by striking out all after the ordaining clause, and inserting the amendment heretofore offered by him, modified so as to make the tax on domestic whiskey 20 cents, instead of 25 cents, and on foreign liquor 40 cents instead of fifty cents, per gallon.

Mr. Howard moved to amend the amendment by striking out "20" and inserting "40," on which the ayes and noes were ordered, on motion of Mr. Badger, and resulted in the affirmative, as follows:

AYES—Messrs. Badger, Battle of Edgecombe, Battle of Wake, Berry, Bogle, Cunningham, Dickson, Edwards, Foy, Fuller, Graham, Green, Hicks, Holmes, Houston, Howard, Jones of Rowan, Kelly, Leak of Richmond, Lyon, Manning,

McDuffie, McNeill of Harnett, Miller, Myers, Phifer, Rhodes, Royster, Satterthwaite, Schenck, Shipp, Smith of Johnston, Smith of Macon, Spruill of Tyrrell, Strange, Strong of Mecklenburg, Strong of Wayne, Sutherland, Thornton, Turner, Warren, Washington and Woodfin—43.

NOES—Messrs. Allison, Barnes, Battle of Nash, Brodnax, Brown, Caldwell, Calloway, Cannon, Christian, Councill, Darden, Dick, Douthitt, Durham, Foster of Ashe, Foster of Randolph, Gilmer, Gorrell, Hearne, Headen, Holden, Jones of Caldwell, Joyce, Long, Mann, McDowell of Madison, Meares, Mebane, Michal, Murrill, Osborne, Reid, Ruffin, Sanders, Setzer, Speed, Sprouse, Starbuck and Wilson—39.

Mr. Badger moved to amend the amendment, by striking out "forty cents," in the section next the last, and inserting "one dollar."

Mr. Speed moved that the Convention do now adjourn, on which the ayes and noes were ordered, on motion of Mr. Fuller, and resulted in the negative, as follows:

AYES—Messrs. Allison, Badger, Barnes, Battle of Edgecombe, Battle of Nash, Brodnax, Cannon, Councill, Foy, Graham, Holden, Holmes, Houston, Howard, Kelly, Long, Mann, Meares, Murrill, Rhodes, Ruffin, Setzer, Shipp, Speed, Sprouse, Spruill of Tyrrell, Strange, Strong of Mecklenburg, Strong of Wayne, Thornton, Turner and Warren—32.

NOES—Messrs. Battle of Wake, Berry, Bogle, Brown, Caldwell, Calloway, Christian, Cunningham, Darden, Dick, Dickson, Douthitt, Durham, Foster of Ashe, Foster of Randolph, Fuller, Gilmer, Gorrell, Green, Hearne, Headen, Hicks, Jones of Caldwell, Jones of Rowan, Joyce, Leak of Richmond, Lyon, Manning, McDowell of Madison, McDuffie, McNeill of Harnett, Mebane, Michal, Miller, Mitchell, Myers, Osborne, Phifer, Reid, Royster, Sanders, Satterthwaite, Schenck, Smith of Johnston, Smith of Macon, Starbuck, Sutherland, Washington, Wilson and Woodfin—50.

The pending question was further debated, when,

Mr. Barnes moved an adjournment, on which the ayes and

noes were ordered, on motion of Mr. Smith, of Johnston, and resulted in the affirmative, as follows :

AYES—Messrs. Allison, Badger, Barnes, Battle of Edgecombe, Battle of Nash, Battle of Wake, Berry, Bogle, Brodnax, Brown, Cannon, Christian, Councill, Dickson, Douthitt, Durham, Foster of Ashe, Foy, Graham, Hearne, Holden, Holmes, Houston, Howard, Jones of Rowan, Kelly, Leak of Richmond, Long, Mann, Manning, Meares, Mitchell, Murrill, Myers, Osborne, Rhodes, Ruffin, Satterthwaite, Setzer, Shipp, Sprouse, Strange, Strong of Mecklenburg, Strong of Wayne, Thornton, Turner and Warren—47.

NOES—Messrs. Caldwell, Calloway, Cunningham, Darden, Dick, Foster of Randolph, Fuller, Gilmer, Gorrell, Green, Headen, Hicks, Jones of Caldwell, Joyce, Lyon, McDuffie, McNeill of Harnett, Mebane, Michal, Miller, Phifer, Reid, Royster, Sanders, Smith of Johnston, Smith of Macon, Starbuck, Sutherland, Washington, Wilson and Woodfin—32.

So the Convention adjourned to 10 o'clock to-morrow morning.

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#### IN CONVENTION, THURSDAY, February 20, 1862.

The Convention met, the President in the Chair.

The journal of yesterday was read and approved.

On motion of Mr. Jones, of Rowan, leave of absence was granted, from and after to-morrow, to Mr. Setzer.

Mr. Satterthwaite offered a resolution empowering the President to employ, for the remainder of the session, an additional Enrolling Clerk, which was adopted under a suspension of the rules.

Mr. Smith, of Johnston, introduced an ordinance to amend the 8th section of the Constitution of the State, which passed the first reading.

Mr. Allison presented a petition from citizens of Iredell County, praying measures to preserve the grain of the State from the consumption of distillers, which, on his motion, was ordered to lie on the table.

On motion of Mr. Fuller, leave of absence was granted Mr. Lyon, from and after to-morrow.

Mr. Battle, of Nash, from the select committee to whom was referred a resolution to loan Tappey and Lumsden a certain amount to enable them to establish an iron foundry, reported the same back, and recommended its passage.

The unfinished business of yesterday was then taken up.

Mr. Howard moved to amend the pending amendment (Mr. Gorrell's), by striking out the second section and inserting a provision requiring a monthly payment of the tax, and certain penalties in case of failure thereof, which was agreed to.

Mr. Schenck moved to amend the proviso, adopted on motion of Mr. Badger, by providing that no person shall distil any grain except of his own producing; on which the ayes and noes were ordered, on his motion, and resulted in the affirmative, as follows:

AYES—Messrs. Allison, Atkinson, Badger, Battle of Edgecombe, Battle of Wake, Berry, Bogle, Brown, Bunting, Cannon, Christian, Councill, Cunningham, Darden, Dick, Dickson, Ellison, Foster of Ashe, Fuller, Graham, Green, Holmes, Houston, Howard, Jones of Caldwell, Leak of Richmond, Lyon, Manning, McNeill of Harnett, Merritt, Miller, Mitchell, Myers, Phifer, Rhodes, Royster, Ruffin, Satterthwaite, Schenck, Smith of Johnston, Smith of Macon, Strange, Strong of Mecklenburg, Strong of Wayne, Sutherland, Thompson, Thornton, Turner, Warren, Washington, Williamson and Wooten—52.

NOES—Messrs. Barnes, Battle of Nash, Brodnax, Caldwell, Calloway, Douthitt, Durham, Edwards, Foster of Randolph, Foy, Gilmer, Gorrell, Hearne, Headen, Holden, Jones of Rowan, Joyce, Kelly, Kittrell, Long, Mann, McDuffie, Meares, Mebane, Michal, Murrill, Osborne, Reid, Sanders, Setzer, Speed, Sprouse, Spruill of Tyrrell, Starbuck, Wilson and Woodfin—36.

Mr. Barnes moved to amend by striking out that part of the amendment which imposes a tax on liquor distilled from fruit, on which the ayes and noes were ordered, on his motion, and resulted in the affirmative, as follows:

AYES—Messrs. Badger, Barnes, Battle of Nash, Berry,

Bogle, Brown, Bunting, Calloway, Cannon, Christian, Council, Cunningham, Dick, Foster of Ashe, Gilmer, Graham, Hearne, Holden, Jones of Caldwell, Joyce, Kelly, Lyon, Mann, Manning, McNeill of Harnett, Meares, Mitchell, Murrill, Myers, Phifer, Reid, Royster, Sanders, Schenck, Setzer, Smith of Johnston, Sprouse, Starbuck, Strong of Wayne, Sutherland, Thompson, Turner, Warren, Wilson and Wooten—45.

NOES—Messrs. Allison, Atkinson, Battle of Edgecombe, Battle of Wake, Brodnax, Caldwell, Darden, Dickson, Douthitt, Durham, Edwards, Ellison, Foster of Randolph, Foy, Fuller, Gorrell, Green, Headen, Hicks, Holmes, Houston, Howard, Jones of Rowan, Kittrell, Leak of Richmond, Long, McDuffie, Mebane, Merritt, Michal, Miller, Osborne, Rhodes, Ruffin, Satterthwaite, Shipp, Smith of Macon, Speed, Strange, Thornton, Washington, Williamson and Woodfin—44.

Mr. Battle, of Wake, moved to amend by striking out the tax on liquors distilled from rye, which was not agreed to.

Mr. Michal moved to amend by fixing the tax at twenty-five cents per gallon, and providing a penalty of \$1,000 and six months imprisonment, for adulterating liquors; which was not agreed to.

The question was now taken on Mr. Badger's amendment, offered yesterday, to tax liquors brought into the State, one dollar per gallon; and it was agreed to.

He now moved to amend the sixth section, by adding the following—And if said tax shall not be paid by the person bringing or sending the same into the State, the buyer or receiver shall be liable for the same, to be collected in the manner specified in the second section of this ordinance; which was agreed to.

Mr. Ruffin moved to amend by striking out the section, on which the ayes and noes were ordered, on motion of Mr. Badger, and resulted in the negative, as follows:

AYES—Messrs. Atkinson, Barnes, Battle of Edgecombe, Battle of Wake, Bogle, Brown, Darden, Dickson, Durham, Foy, Fuller, Graham, Jones of Caldwell, Jones of Rowan, Kelly, Lyon, Mann, McDuffie, McNeill of Cumberland, McNeill of

Harnett, Michal, Mitchell, Myers, Osborne, Reid, Rhodes, Royster, Ruffin, Satterthwaite, Schenck, Shipp, Strong of Wayne, Sutherland, Thompson, Turner, Washington, Williamson and Wooten—38.

NOES—Messrs. Allison, Badger, Battle of Nash, Berry, Brodnax, Caldwell, Calloway, Cannon, Christian, Councill, Dick, Douthitt, Edwards, Ellison, Foster of Ashe, Foster of Randolph, Gilmer, Gorrell, Green, Hearne, Headen, Hicks, Holmes, Houston, Joyce, Kittrell, Leak of Richmond, Long, Manning, Mebane, Miller, Murrill, Phifer, Sanders, Setzer, Smith of Johnston, Smith of Macon, Sprouse, Starbuck, Strange, Strong of Mecklenburg, Thornton, Warren, Wilson and Woodfin—46.

Mr. Gorrell moved to amend by striking out the first clause of the sixth section, and inserting a substitute which he offered : and it was not agreed to.

Mr. Meares moved to strike out the sixth section, and insert a provision taxing the consumers of liquors brought into the State ; which was not agreed to.

Mr. Holmes moved to strike out the whole of Mr. Gorrell's amendment, and insert "that all distillation shall be prohibited between the 2d day of April and the 1st day of December" ; on which the ayes and noes were ordered, on his motion, and resulted in the negative, as follows :

AYES—Messrs. Battle of Edgecombe, Berry, Bogle, Bunting, Cunningham, Darden, Dickson, Foy, Fuller, Green, Hicks, Holmes, Houston, Kelly, Leak of Richmond, Lyon, Manning, McDuffie, McNeill of Cumberland, McNeill of Harnett, Miller, Myers, Phifer, Rhodes, Royster, Sanders, Smith of Johnston, Smith of Macon, Spruill of Tyrrell, Strange, Strong of Mecklenburg, Strong of Wayne, Sutherland, Thompson, Thornton, Washington, Woodfin and Wooten—37.

NOES—Messrs. Allison, Atkinson, Badger, Battle of Nash, Battle of Wake, Brodnax, Brown, Caldwell, Calloway, Cannon, Christian, Councill, Dick, Douthitt, Durham, Ellison, Foster of Ashe, Foster of Randolph, Gilmer, Gorrell, Graham, Hearne, Headen, Holden, Jones of Caldwell, Jones of Rowan, Joyce, Long, Mann, Meares, Mebane, Michal, Mitchell, Murrill, Os-

borne, Reid, Ruffin, Satterthwaite, Schenck, Setzer, Shipp, Speed, Sprouse, Starbuck, Turner, Warren, Williamson and Wilson—48.

The question then recurred on the amendment of Mr. Gorrell, as amended, on which the ayes and noes were ordered, on motion of Mr. Fuller, and resulted in the negative, as follows:

AYES—Messrs. Allison, Barnes, Battle of Nash, Brodnax, Brown, Calloway, Christian, Councill, Douthitt, Durham, Foster of Ashe, Foster of Randolph, Gilmer, Gorrell, Headen, Holden, Jones of Caldwell, Jones of Rowan, Joyce, Long, Mann, McDuffie, McNeill of Cumberland, Meares, Mebane, Michal, Miller, Mitchell, Murrill, Osborne, Reid, Ruffin, Setzer, Shipp, Spruill of Tyrrell, Starbuck, Williamson and Wilson—38.

NOES—Messrs. Atkinson, Badger, Battle of Edgecombe, Battle of Wake, Berry, Bogle, Bunting, Caldwell, Cannon, Cunningham, Darden, Dick, Dickson, Ellison, Foy, Fuller, Graham, Green, Hearne, Hicks, Holmes, Houston, Howard, Kelly, Leak of Richmond, Lyon, Manning, McNeill of Harnett, Myers, Phifer, Rhodes, Royster, Sanders, Satterthwaite, Schenck, Smith of Johnston, Smith of Macon, Speed, Sprouse, Strange, Strong of Mecklenburg, Strong of Wayne, Sutherland, Thompson, Thornton, Turner, Warren, Washington, Woodfin and Wooten—50.

Mr. Gilmer moved to amend by striking out all after the ordaining clause, and inserting in lieu thereof, an ordinance to prevent distillation after the 15th of April, and providing for a tax on all liquors sold, domestic or foreign.

Pending the consideration of this amendment the hour arrived, and the Convention took a recess.

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4 O'CLOCK, P. M.

Mr. Badger introduced an ordinance to exempt from militia duty and military service, members of the society of Friends, commonly called Quakers, which passed its first reading.



The morning's business was resumed, the question being on the amendment offered by Mr. Gilmer.

The question being put, the ayes and noes were ordered, on motion of Mr. Graham, and resulted in the affirmative, as follows:

AYES—Messrs. Allison, Atkinson, Barnes, Battle of Edgecombe, Bogle, Brodnax, Bunting, Cannon, Christian, Cunningham, Darden, Dick, Dickson, Douthitt, Durham, Edwards, Foster of Ashe, Foster of Randolph, Foy, Fuller, Gilmer, Gorrell, Headen, Hicks, Holden, Holmes, Jones of Rowan, Joyce, Kelly, Long, Lyon, Mann, Manning, McNeill of Cumberland, Mebane, Miller, Mitchell, Murrill, Osborne, Phifer, Reid, Rhodes, Royster, Ruffin, Sanders, Satterthwaite, Shipp, Smith of Johnston, Starbuck, Strange, Strong of Mecklenburg, Strong of Wayne, Thornton, Turner, Washington, Williamson, Wilson, Woodfin and Wooten—59.

NOES—Messrs. Badger, Battle of Nash, Battle of Wake, Berry, Caldwell, Calloway, Ellison, Graham, Green, Hearne, Leak of Richmond, Michal, Myers, Schenck, Setzer, Smith of Macon, Speed, Sprouse and Warren—19.

Mr. Leak, of Richmond, now moved to amend by striking out all after the ordaining clause, and inserting a prohibition after the first of April; and it was not agreed to.

Mr. Barnes moved to amend by inserting a provision allowing any person to distil his own grain, on which the ayes and noes were ordered, on his motion, and resulted in the negative, as follows:

AYES—Messrs. Atkinson, Badger, Barnes, Battle of Wake, Berry, Calloway, Christian, Durham, Foster of Ashe, Graham, Hearne, Holden, Jones of Caldwell, Joyce, Mann, Mebane, Michal, Reid, Ruffin, Sanders, Satterthwaite, Schenck, Setzer, Smith of Johnston, Sprouse, Starbuck, Warren and Williamson—28.

NOES—Messrs. Allison, Battle of Edgecombe, Battle of Nash, Bogle, Brodnax, Bunting, Caldwell, Cannon, Cunningham, Darden, Dick, Dickson, Douthitt, Edwards, Ellison, Foy, Fuller, Gilmer, Gorrell, Green, Headen, Hicks, Holmes, Jones of Rowan, Kelly, Leak of Richmond, Long, Lyon, Manning, Mc-

Duffie, McNeill of Cumberland, McNeill of Harnett, Meares, Miller, Mitchell, Myers, Osborne, Phifer, Rhodes, Royster, Shipp, Smith of Macon, Speed, Spruill of Tyrrell, Strange, Strong of Mecklenburg, Strong of Wayne, Thompson, Thornton, Turner, Washington, Wilson, Woodfin and Wooten—54.

Mr. Battle, of Nash, moved to insert a provision limiting the price of liquor distilled to \$1.00 per gallon, on which the ayes and noes were ordered, on his motion, and resulted in the negative, as follows :

AYES—Messrs. Battle of Edgecombe, Battle of Nash, Bunting, Cannon, Cunningham, Darden, Holmes, Kelly, Leak of Richmond, Lyon, Manning, McNeill of Cumberland, Meares, Murrill, Royster, Smith of Johnston, Smith of Macon, Speed and Turner—19.

NOES—Messrs. Allison, Atkinson, Badger, Barnes, Battle of Wake, Berry, Bogle, Brodnax, Caldwell, Calloway, Christian, Dick, Dickson, Douthitt, Durham, Edwards, Ellison, Foster of Ashe, Foster of Randolph, Foy, Fuller, Gilmer, Gorrell, Graham, Green, Headen, Hicks, Jones of Caldwell, Jones of Rowan, Joyce, Long, McDuffie, McNeill of Harnett, Mebane, Michal, Miller, Mitchell, Myers, Phifer, Reid, Rhodes, Ruffin, Sanders, Satterthwaite, Schenck, Setzer, Shipp, Sprouse, Spruill of Tyrrell, Starbuck, Strange, Strong of Mecklenburg, Strong of Wayne, Thornton, Warren, Washington, Wilson, Woodfin and Wooten—59.

Mr. Sprouse offered an amendment prohibiting any manufacturer of cotton or woollen goods from selling the same out of the State, or to a non-resident.

Mr. Badger moved to amend the amendment by extending the prohibition to manufacturers from hair, flax, tow, or other textile fibre, leather or raw-hides ; which was accepted by Mr. Sprouse.

The question being put, the ayes and noes were ordered, on motion of Mr. Calloway, and resulted in the negative, as follows :

AYES—Messrs. Badger, Calloway, Christian, Cunningham, Durham, Hearne, McNeill of Cumberland, Murrill, Phifer, Setzer, Smith of Johnston, Speed, Sprouse and Wooten—14.

NOES—Messrs. Allison, Atkinson, Barnes, Battle of Edgecombe, Battle of Nash, Battle of Wake, Berry, Bogle, Brodnax, Bunting, Caldwell, Cannon, Darden, Dick, Edwards, Ellison, Foster of Ashe, Foy, Fuller, Gilmer, Gorrell, Graham, Green, Headen, Hicks, Holden, Holmes, Jones of Caldwell, Jones of Rowan, Joyce, Kelly, Leak of Richmond, Long, Lyon, Mann, McDuffie, McNeill of Harnett, Meares, Mebane, Michal, Miller, Mitchell, Osborne, Reid, Rhodes, Royster, Ruffin, Sanders, Shipp, Smith of Macon, Spruill of Tyrrell, Starbuck, Strange, Strong of Mecklenburg, Strong of Wayne, Thompson, Thornton, Turner, Warren, Washington, Williamson, Wilson and Woodfin—64.

Mr. Ellison moved to insert after the word "misdemeanor," the words, "for each and every act of distillation," which was agreed to.

Mr. Graham moved to re-commit to a select committee, and it was not agreed to.

Mr. Battle, of Nash, offered an amendment that the distiller shall list to the Sheriff on the 15th of April; which was not agreed to.

The question then recurred on the passage of the ordinance on the third and last reading; on which the ayes and noes were ordered, on motion of Mr. Badger, and resulted in the affirmative, as follows:

AYES—Messrs. Allison, Atkinson, Battle of Edgecombe, Bogle, Brodnax, Bunting, Cannon, Christian, Cunningham, Darden, Dick, Dickson, Douthitt, Edwards, Ellison, Foster of Ashe, Foy, Fuller, Gilmer, Gorrell, Green, Hicks, Holmes, Houston, Jones of Caldwell, Kelly, Kittrell, Leak of Richmond, Lyon, McDuffie, McNeill of Cumberland, McNeill of Harnett, Miller, Mitchell, Myers, Osborne, Phifer, Rhodes, Royster, Satterthwaite, Schenck, Shipp, Smith of Macon, Spruill of Tyrrell, Starbuck, Strange, Strong of Mecklenburg, Strong of Wayne, Thompson, Thornton, Turner, Warren, Washington, Williamson, Wilson, Woodfin and Wooten—57.

NOES—Messrs. Badger, Battle of Nash, Battle of Wake, Berry, Caldwell, Calloway, Council, Durham, Foster of Ran-

dolph, Graham, Hearne, Headen, Holden, Jones of Rowan, Joyce, Long, Mann, Manning, Meares, Mebane, Michal, Murrill, Reid, Ruffin, Sanders, Setzer, Smith of Johnston, Speed, Sprouse, and Thomas of Carteret—30.

On motion of Mr. Strange, leave of absence was granted to Mr. Wooten.

On motion of Mr. Badger, the Convention adjourned.

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### IN CONVENTION, FRIDAY, February 21, 1862.

The President took the Chair. Prayer by Rev. Henry Hardie.

The journal of yesterday was read and approved.

Mr. Manning introduced an ordinance supplemental to and amendatory of, the ordinance to provide for the assumption and payment of the Confederate tax, which passed its first reading, and was, on motion of Mr. Rayner, referred to the committee on Finance.

Mr. Wilson introduced an ordinance to provide for the payment of bounty to deceased volunteers raised by the authority of the State, which passed its first reading.

On motion, the rules were suspended and the ordinance read the second time.

Mr. Sanders moved to amend by adding a section declaring that the claiming heirs at law shall produce his or her affidavit, or that of two disinterested persons, stating the relationship, and that there is no other person entitled to claim.

On motion of Mr. Shipp, the ordinance and amendment were referred to the Judiciary Committee.

Mr. Reid, from the select committee to whom was referred the memorial of the Wilmington, Charlotte and Rutherford Railroad Company and accompanying ordinance, reported the same back and asked to be discharged from the further consideration of the subject; in which the Convention concurred.

Mr. Gilmer presented a petition from the Clerks in the military Department, asking increased compensation, which, on his motion, was referred to a select committee.

The President appointed Messrs. Gilmer, Long and Foy.

Mr. Starbuck, from the special committee to whom the subject was referred, reported an ordinance to exempt persons over forty-five years, from the performance of militia duty; which passed its first reading.

On motion of Mr. Ellison, the rules were suspended and the ordinance was read and passed the second reading.

It was then read the third time.

Mr. Myers moved the following: Provided that no person over forty-five years of age shall hold any office in the militia—which was not agreed to.

The question recurred on the final passage of the ordinance, on which the ayes and noes were ordered, on motion of Mr. Osborne, and resulted as follows, in the negative:

AYES—Messrs. Allison, Atkinson, Battle of Wake, Berry, Bogle, Calloway, Cannon, Christian, Cunningham, Dick, Dickson, Ellison, Foster of Ashe, Foy, Gilmer, Gorrell, Graham, Headen, Holden, Joyce, Kelly, Long, Mann, Manning, McNeill of Harnett, Murrill, Satterthwaite, Setzer, Shipp, Smith of Johnston, Sprouse, Starbuck, Williamson and Wilson—33.

NOES—Messrs. Battle of Edgecombe, Battle of Nash, Brodnax, Bunting, Caldwell, Councill, Darden, Douthitt, Durham, Edwards, Foster of Randolph, Fuller, Green, Hearne, Hicks, Holmes, Houston, Howard, Jones of Caldwell, Jones of Rowan, Kittrell, Leak of Richmond, McDuffie, McNeill of Cumberland, Meares, Mebane, Michal, Miller, Mitchell, Myers, Osborne, Phifer, Reid, Rhodes, Royster, Ruffin, Sanders, Schenck, Spruill of Tyrrell, Strange, Strong of Mecklenburg, Strong of Wayne, Thomas of Carteret, Thompson, Thornton, Warren, Washington, Woodfin and Wooten—49.

Mr. Mitchell introduced an ordinance to tax money, which passed the first reading.

Mr. Meares offered a resolution that the Public Treasurer pay to W. R. Lowell \$82, amount expended by him for the use of the sick soldiers of the 11th Regiment N. O. Volunteers, near Manassas, while employed as a nurse in August and September last.

On motion of Mr. Gilmer, it was referred to a select committee of three.

The President appointed Messrs. Gilmer, Meares and McNeill of Cumberland.

Mr. Warren offered a resolution to appoint a committee to inquire into the propriety of re-organizing the Paymaster's Department, and to report by ordinance or otherwise.

On motion, the rules were suspended, and the resolution was agreed to.

The President appointed Messrs. Ellison, Battle of Nash, Foster of Randolph, Shipp and Murrill.

Mr. Cannon offered a resolution for the protection of private property. He moved to suspend the rules and put the resolution on its passage now, and it was not agreed to.

Mr. Graham moved to take up the ordinance to provide for the payment of certain expenses of the Board of Claims, and it was agreed to.

The ordinance then passed the second and third readings, and was ordered to be enrolled.

Mr. Smith, of Macon, reported that the ordinance to prohibit, for a limited time, the distillation of grain, had been correctly enrolled, and the same was duly ratified in open Convention.

Mr. Leak, of Richmond, introduced an ordinance to provide for an Executive Council, which passed its first reading.

Mr. Badger moved to take up the ordinance to exempt Quakers from military duty; and it was not agreed to.

Mr. Battle, of Wake, reported the ordinance to provide payment of certain expenses by the Board of Claims, as correctly enrolled; and the same was duly ratified in open Convention.

Mr. Strange was appointed on the committee on the Governor's communication, in place of Mr. Brown.

The President announced that he had received a letter from Hons. W. W. Avery and George Davis, enclosing a communication from the Confederate States, whereupon, on motion of Mr. Reid, the lobbies and galleries were cleared and the Convention sat with closed doors.

After so remaining for some time, the doors were again opened.

Mr. Woodfin introduced an ordinance supplemental to an ordinance passed at the last session, authorizing the issue of Treasury notes, &c., which passed the first reading.

By the same, an ordinance supplemental to an ordinance passed at the present session, entitled "An Ordinance to provide for the assumption and payment of the Confederate tax, which passed the first reading.

The hour having arrived, the Convention took a recess until 4 o'clock.

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4 O'CLOCK, P. M.

Mr. Strange moved to reconsider the vote by which the Convention on yesterday agreed to the ordinance to suppress for a limited time the distillation of grain.

On this question the ayes and noes were ordered, on motion of Mr. Gilmer, and resulted as follows :

AYES—Messrs. Atkinson, Barnes, Battle of Edgecombe, Battle of Nash, Brodnax, Bunting, Caldwell, Cunningham, Dickson, Ellison, Foy, Green, Holmes, Howard, Kelly, Leak of Richmond, Manning, McNeill of Harnett, Rayner, Sanders, Smith of Johnston, Sprouse, Strange, Strong of Mecklenburg, Strong of Wayne, Thompson and Turner—27.

NOES—Messrs. Allison, Battle of Wake, Bogle, Calloway, Cannon, Council, Darden, Dick, Douthitt, Durham, Edwards, Foster of Ashe, Fuller, Gilmer, Gorrell, Graham, Headen, Hicks, Holden, Jones of Caldwell, Jones of Rowan, Joyce, Long, Mann, Mebane, Michal, Miller, Mitchell, Murrill, Myers, Osborne, Reid, Rhodes, Royster, Ruffin, Shipp, Smith of Macon, Speed, Spruill of Tyrrell, Starbuck, Thornton, Warren, Williamson, Wilson and Woodfin—46.

Mr. Ruffin offered the following :

WHEREAS, Certain rumors are current that in the late battle of Roanoke Island between the forces of the Confederate States and those of the United States, some of the forces behaved badly; and, whereas, certain regiments and companies of North

Carolina troops, formed a part of the Confederate army, and it is the sincere desire of this Convention, and of the people of this State, to remove, as soon as possible, any such imputation on them, if unjust; it is, therefore,

*Resolved*, That the Senators in Congress from this State, be instructed to call for the official report of said battle, and to send to this body a copy of the same, and also the proceedings of any court martial that may be held touching the defenses of said Island, and the behavior of the troops from this State engaged in said battle.

The rules having been suspended, the said resolution was considered and agreed to.

Mr. Ruffin, from the Judicial Committee, to whom was referred an ordinance and certain amendments proposed thereto to provide for the payment of bounty due to deceased soldiers, reported the same back with a substitute therefor, and recommended its passage.

On motion of Mr. Wilson, the rules were suspended, and the said ordinance was read the second and third times, passed, and ordered to be enrolled.

Mr. Rayner moved to take up and consider the ordinance to define and punish sedition. On this motion he asked the ayes and noes, which being ordered, resulted as follows:

AYES—Messrs. Atkinson, Barnes, Battle of Edgecombe, Battle of Nash, Brodnax, Bunting, Caldwell, Cunningham, Darden, Dickson, Durham, Edwards, Foy, Green, Hicks, Holmes, Howard, Kelly, McNeill of Cumberland, Michal, Miller, Myers, Osborne, Rayner, Reid, Royster, Ruffin, Schenck, Spruill of Tyrrell, Strange, Strong of Mecklenburg, Strong of Wayne, Thompson, Thornton, Turner, Woodfin and Wooten—37.

NOES—Messrs. Allison, Battle of Wake, Berry, Bogle, Calloway, Cannon, Christian, Councill, Dick, Douthitt, Ellison, Foster of Ashe, Foster of Randolph, Fuller, Gilmer, Gorrell, Graham, Headen, Holden, Jones of Caldwell, Jones of Rowan, Joyce, Leak of Richmond, Long, Mann, Manning, McNeill of Harnett, Mebane, Mitchell, Murrill, Sanders, Satterthwaite, Shipp, Smith of Johnston, Smith of Macon, Speed, Sprouse, Starbuck, Warren, Williamson and Wilson—41.



Mr. Thompson moved to take up, for consideration, the ordinance regulating the appointment of Company Officers; which was agreed to.

He then proposed a substitute for the same.

Mr. Manning moved to amend by striking out all after the ordaining clause and inserting a substitute therefor.

Mr. Howard moved to amend by striking out the second clause; which was not agreed to.

On motion of Mr. Thompson, the subject was referred to a select committee.

The President appointed the following: Messrs. Thompson, Manning, Howard and Green.

Mr. Howard introduced an ordinance to provide for collecting the arms belonging to the State, which passed its first reading.

Mr. Speed introduced an ordinance to authorize the Public Treasurer to pay Rev. Maurice H. Vaughan one hundred dollars for services as Chaplain, at Roanoke Island; which passed its first reading.

On motion of Mr. Green, the Convention adjourned.

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#### IN CONVENTION, SATURDAY, February 23, 1862.

The President took the Chair and called the Convention to order. Prayer by Rev. Frederick FitzGerald, of the P. E. Church.

The journal of yesterday was read and approved.

Mr. Smith, of Macon, from the committee on enrollments, reported, as correctly enrolled, the ordinance to make some provision for the families of soldiers dying in the service, and the same was duly ratified.

Mr. Battle, of Wake, moved to raise a committee to inquire into the expediency of lending State aid to a manufactory of wool and cotton cards, and the motion prevailed.

The President appointed Messrs. Battle of Wake, Strong of Mecklenburg, Dick, McDuffie and Smith, to constitute the committee.

Mr. Strong, of Mecklenburg, presented a petition of citizens of Mecklenburg County, asking that the grain of the State be preserved from the hands of the distillers, which was read and laid on the table.

On motion of Mr. Pettigrow, the lobbies and galleries were cleared, and the Convention sat with closed doors.

After some time spent in secret session, the doors were opened.

Mr. Rayner, from the committee of Finance, made a report on the financial condition of the State, which was laid on the table and ordered to be printed.

The Convention then took a recess until 4 o'clock.

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#### 4 O'CLOCK, P. M.

Mr. Ellison, from the select committee, reported an ordinance concerning the Paymaster's Department, which passed the first reading.

The rules were suspended and the ordinance read the second and third times, passed and ordered to be enrolled.

Mr. Strange introduced an ordinance to raise troops for the defence of the State, which passed its first reading, and on motion of Mr. Howard, was made the special order for Monday next at 11 o'clock.

Mr. Rayner gave notice of an amendment that he would offer when the ordinance came up for consideration.

On motion of Mr. Woodfin, the ordinance supplemental to an ordinance passed at the last session, authorizing the issue of Treasury notes, was taken up.

The ordinance was read the second time, when considerable discussion ensued, pending which,

On motion of Mr. Badger, the Convention adjourned to 10 o'clock Monday morning.

IN CONVENTION, MONDAY, February 24, 1862.

The President called the Convention to order pursuant to adjournment. Prayer by Rev. J. M. Atkinson, of the Presbyterian Church.

The journal of Saturday was read and approved.

Mr. Miller presented a petition from officers and privates of the 14th Regiment North Carolina Volunteers, against the distillation of grain into whiskey; which was read and, on his motion, laid upon the table.

Mr. Gilmer reported favorable on a resolution in favor of W. R. Lovell; and the same passed the several readings under a suspension of the rules.

Mr. Battle, of Wake, from the committee on enrollments, reported as correctly enrolled, the ordinance concerning the Paymaster's Department, and the same was duly ratified.

Mr. Mebane, from the committee on the Report of the Board of Claims, reported an ordinance to pay the claims audited and allowed by the Board, which passed the several readings under a suspension of the rules, and was ordered to be enrolled.

Mr. Reid moved to reconsider the vote by which the said ordinance passed its third reading, and,

On motion of Mr. Badger, that motion was laid upon the table.

The unfinished business of Saturday was taken up, being the ordinance supplemental to the ordinance authorizing the issue of Treasury notes.

Pending the consideration of the subject, a message was received from His Excellency, the Governor, in relation to the military condition of the State, which was read and, on motion, laid upon the table.

The consideration of the Treasury note ordinance was then resumed, and occupied the remainder of the morning session.

4 O'CLOCK, P. M.

Mr. Howard, from the Military Committee, reported back the ordinance for the more thorough organization of the militia, and asked to be discharged from its further consideration, in which the Convention concurred.

The unfinished business of the morning was resumed.

Mr. Ruffin moved to amend by striking out of the second section, all between the ordaining clause and the word "and" in the 4th line, and inserting, "that said Treasury notes shall, at any time or times hereafter, be received at the Treasury in payment for land entered, and for taxes, and for any debt to the State, and for county, poor, and school purposes." Also, to strike out all after the word "counties," in the 5th line.

The question on the amendment was put and decided in the affirmative, the ayes and noes being ordered on motion of Mr. Meares, as follows:

AYES—Messrs. Badger, Battle of Edgecombe, Battle of Nash, Battle of Wake, Berry, Brodnax, Brown, Bunting, Caldwell, Christian, Cunningham, Dick, Dickson, Douthitt, Edwards, Ellison, Foster of Ashe, Foster of Randolph, Foy, Fuller, Graham, Hearne, Holmes, Howard, Joyce, Kittrell, Leak of Richmond, Long, Manning, Miller, Mitchell, Osborne, Phifer, Reid, Rhodes, Ruffin, Smith of Macon, Speed, Sprouse, Starbuck, Strange, Strong of Mecklenburg, Strong of Wayne, Thomas of Carteret, Washington, Williamson and Wilson—47.

NOES—Messrs. Allison, Bogle, Bryson, Calloway, Cannon, Councill, Darden, Durham, Gilmer, Gorrell, Green, Headen, Hicks, Houston, McDuffie, McNeill of Cumberland, McNeill of Harnett, Meares, Mebane, Michal, Murrill, Myers, Pettigrew, Rayner, Sanders, Shipp, Smith of Johnston, Thornton, Turner and Woodfin—30.

Mr. Battle, of Wake, moved an additional section, as follows: "That on application of holders of Treasury notes of the denominations of fifty dollars, and one hundred dollars, without interest, the Treasurer shall, as soon as may be practicable, redeem the same with other Treasury notes of a less denomina-

tion ; Provided, That nothing herein contained shall prevent the issue of said notes to the aggregate amount of three millions of dollars.

The amendment was adopted.

On motion of Mr. Badger, the ordinance was re-committed to the committee.

Mr. Smith, of Macon, from the committee on Enrollments, reported as correctly enrolled, the resolution in favor of Wm. R. Lovell, and the same was duly ratified.

On motion of Mr. Badger, the Convention took up the ordinance to tax money, and the same was read the second time.

Mr. Gorrell moved to amend by adding—"Provided, that bank notes shall be considered as money," and the amendment was agreed to.

Mr. Speed moved to adjourn, and it was not agreed to.

Mr. Reid moved the following amendment to the ordinance under consideration :—Provided the average amount on hand for the six months immediately preceding the time of listing taxables, shall be the sum required to be listed under the provisions of this ordinance. After some discussion, the amendment was withdrawn.

The ordinance then passed the second reading.

On motion of Mr. Badger, the Convention adjourned.

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### IN CONVENTION, TUESDAY, February 25, 1862.

The President called the Convention to order pursuant to adjournment. Prayer by Rev. Dr. Mason, of the P. E. Church.

The journal of yesterday was read and approved.

Mr. Battle, of Wake, from the select committee on the subject, reported an ordinance to encourage the manufacture of wool and cotton cards ; and the same passed the first reading.

He moved to suspend the rules in order to put the ordinance on its several readings to-day ; on which motion the ayes and noes were ordered, and resulted in the affirmative, as follows :

**AYES**—Messrs. Allison, Battle of Nash, Battle of Wake, Berry, Bogle, Brown, Bryson, Caldwell, Calloway, Cannon, Councill, Cunningham, Darden, Dick, Dickson, Douthitt, Durham, Edwards, Ellison, Foster of Randolph, Foy, Fuller, Gilmer, Gorrell, Graham, Headen, Hicks, Holden, Holmes, Joyce, Kittrell, Long, Lyon, Manning, McDuffie, McNeill of Cumberland, McNeill of Harnett, Mebane, Phifer, Reid, Rhodes, Ruffin, Sanders, Shipp, Smith of Johnston, Smith of Macon, Speed, Sprouse, Starbuck, Strong of Mecklenburg, Strong of Wayne, Thomas of Jackson, Thompson, Thornton, Williamson and Wilson—56.

**NOES**—Messrs. Battle of Edgecombe, Brodnax, Foster of Ashe, Howard, Michal, Pettigrew, Rayner, Strange and Washington—9.

The ordinance was read the second time.

Mr. Reid moved to add, "Provided, that the cards to be manufactured shall not be sold for a greater price than two dollars a pair."

Mr. Washington moved to amend the amendment by striking out "two dollars," and inserting, "one dollar and a half," and it was not agreed to.

Mr. Reid then withdrew his amendment, and substituted the following: "Provided, That the cards manufactured shall be first offered for sale to the citizens of the State," and the amendment was adopted.

As amended the ordinance then passed the second and third readings, and was ordered to be enrolled.

Mr. Smith, of Macon, from the committee on Enrollments, reported as correctly enrolled, the ordinance to allow the claims audited by the Board of Claims, and the same was duly ratified.

Mr. Badger moved to take up the ordinance to exempt Quakers from military service, on which the ayes and noes were ordered, on motion of Mr. Speed, and resulted in the negative, as follows:

**AYES**—Messrs. Bagley, Battle of Edgecombe, Battle of Wake, Bogle, Caldwell, Cannon, Dick, Foster of Randolph, Gilmer, Gorrell, Graham, Headen, Holden, Kittrell, Long, Man-

ning, McNeill of Harnett, Mebane, Ruffin, Shipp, Speed, Starbuck, Strong of Wayne, Thomas of Carteret, and Wilson—25.

NOES—Messrs. Allison, Battle of Nash, Berry, Brodnax, Brown, Bryson, Bunting, Calloway, Council, Cunningham, Darden, Dickson, Douthitt, Durham, Edwards, Ellison, Foster of Ashe, Foy, Fuller, Green, Hicks, Houston, Howard, Jones of Rowan, Joyce, McDuffie, McNeill of Cumberland, Meares, Michal, Miller, Osborne, Pettigrew, Phifer, Rayner, Reid, Rhodes, Sanders, Sprouse, Strange, Strong of Mecklenburg, Thomas of Jackson, Thompson, Thornton, Turner, Washington, Williamson and Woodfin—47.

Mr. Woodfin, from the committee on Finance, reported back the ordinance concerning the issue of Treasury notes, with a Substitute for this and an ordinance to assume the payment of the Confederate tax, and the same passed the first reading.

Mr. Rayner moved to rescind the order to adjourn to-day at 6 p. m., and provide for the adjournment to-morrow at 4 p. m.

Mr. Badger moved to amend the motion by striking out the second clause, on which the ayes and noes were ordered, on motion of Mr. Reid, and resulted in the negative, as follows :

AYES—Messrs. Badger, Battle of Edgecombe, Battle of Wake, Brodnax, Caldwell, Calloway, Council, Dick, Foster of Randolph, Gilmer, Gorrell, Jones of Rowan, Long, Manning, Meares, Mebane, Rayner, Rhodes, Speed, Thomas of Jackson, and Washington—21.

NOES—Messrs. Allison, Battle of Nash, Berry, Bogle, Brown, Bryson, Bunting, Cannon, Christian, Cunningham, Darden, Dickson, Douthitt, Durham, Ellison, Foy, Fuller, Graham, Green, Hearne, Headen, Hicks, Holmes, Houston, Howard, Joyce, Kittrell, McDuffie, McNeill of Cumberland, McNeill of Harnett, Michal, Miller, Pettigrew, Phifer, Reid, Ruffin, Sanders, Shipp, Smith of Johnston, Smith of Macon, Sprouse, Starbuck, Strange, Strong of Mecklenburg, Strong of Wayne, Thompson, Thornton, Turner, Wilson and Woodfin—50.

Mr. Badger moved to amend by striking out "to-morrow, 26th," and inserting "Thursday, 27th."

Mr. Green moved to amend the amendment by inserting the words "*sine die*."

Mr. Graham moved to lay the whole subject on the table, on which the ayes and noes were ordered, on motion of Mr. Badger, and resulted in the affirmative, as follows:

AYES—Messrs. Allison, Battle of Nash, Battle of Wake, Berry, Bogle, Brodnax, Brown, Calloway, Cannon, Christian, Cunningham, Darden, Dickson, Douthitt, Durham, Ellison, Foster of Ashe, Foy, Gorrell, Graham, Hearne, Headen, Hicks, Holden, Houston, Jones of Rowan, Joyce, Long, Manning, McDuffie, McNeill of Cumberland, McNeill of Harnett, Mebane, Michal, Miller, Mitchell, Sanders, Smith of Johnston, Smith of Macon, Sprouse, Starbuck, Thomas of Carteret, Thornton, Turner, Williamson and Wilson—46.

NOES—Messrs. Badger, Battle of Edgecombe, Bunting, Caldwell, Councill, Dick, Foster of Randolph, Fuller, Gilmer, Green, Holmes, Howard, Kittrell, Lyon, Meares, Rayner, Reid, Ruffin, Shipp, Speed, Strange, Strong of Mecklenburg, Strong of Wayne, Thomas of Jackson, Washington and Woodfin—26.

On motion of Mr. Gilmer, the rule requiring a recess at 2 o'clock, was suspended for this day.

Mr. Strong, of Wayne, offered a resolution to pay the Doorkeepers twenty-five dollars each for servant hire and extra services, during the present session, which passed the several readings under a suspension of the rules:

On motion of Mr. Strange, the ordinance to raise troops for the defense of the State, was taken up on the second reading.

Mr. Rayner moved to amend the same as follows: "That the Governor of the State be authorized and requested to forthwith confer with the President of the Confederate States, to the end that when the troops herein provided for shall have been raised and organized, they shall be transferred to the Confederate service, on the condition that they shall be retained in the State of North Carolina for the special defence of the State, and the Governor be further authorized and requested to confer with the President of the Confederate States toward obtaining arms and equipments for said troops when raised.



Mr. Battle, of Wake, from the committee on Enrollments, reported the ordinance to encourage the manufacture of wool and cotton cards as correctly enrolled, and the same was duly ratified.

Mr. Michal offered the following amendment to Mr. Rayner's amendment: "Provided that the arrangement contemplated in the preceding section, by which said troops are to be paid, cannot be accomplished, the Governor is not authorized to raise the troops herein provided for.

On this question the ayes and noes were ordered, on motion of Mr. Strange, and resulted in the negative, as follows:

AYES—Messrs. Badger, Battle of Wake, Berry, Bogle, Brown, Bryson, Calloway, Councill, Cunningham, Dick, Douthitt, Ellison, Foster of Ashe, Fuller, Graham, Green, Headen, Joyce, Manning, Michal, Mitchell, Phifer, Shipp, Sprouse, Starbuck, Thomas of Carteret, and Wilson—28.

NOES—Messrs. Battle of Edgecombe, Battle of Nash, Bunting, Caldwell, Cannon, Darden, Dickson, Durham, Edwards, Foster of Randolph, Foy, Gilmer, Hearne, Holden, Holmes, Houston, Howard, Kittrell, Long, Lyon, McDuffie, McNeill of Cumberland, McNeill of Harnett, Meares, Mebane, Miller, Myers, Osborne, Pettigrew, Rayner, Reid, Rhodes, Ruffin, Sanders, Smith of Johnston, Speed, Strange, Strong of Mecklenburg, Strong of Wayne, Thomas of Jackson, Thompson, Thornton, Turner, Washington and Woodfin—45.

The amendment of Mr. Rayner was then agreed to.

Mr. Ruffin moved to amend as follows: "That for the purpose of carrying out the foregoing provisions, the sum of fifteen millions of dollars is hereby appropriated out of any moneys in the Treasury not otherwise appropriated."

On motion of Mr. Badger, the ordinance was laid on the table.

The resolution to rescind the order for adjournment was then taken up, the question being on the amendment offered by Mr. Green, to adjourn *sine die*, on which the ayes and noes were ordered, on his motion, and resulted in the negative, as follows:

AYES—Messrs. Bunting, Cunningham, Darden, Durham, Foster of Ashe, Green, Hicks, Holmes, McDuffie, Michal, Miller,

Osborne, Sanders, Strong of Mecklenburg, Strong of Wayne, Thompson and Thornton—17.

NOES—Messrs. Allison, Badger, Battle of Edgecombe, Battle of Nash, Battle of Wake, Berry, Bogle, Brodnax, Bryson, Calloway, Cannon, Christian, Councill, Dick, Dickson, Douthitt, Ellison, Fuller, Gilmer, Graham, Hearne, Headen, Holden, Howard, Joyce, Kittrell, Long, Manning, McNeill of Cumberland, McNeill of Harnett, Meares, Mebane, Myers, Pettigrew, Phifer, Rayner, Reid, Rhodes, Ruffin, Shipp, Smith of Johnston, Smith of Macon, Speed, Sprouse, Starbuck, Strange, Thomas of Jackson, Turner, Washington, Williamson, Wilson and Woodfin—52.

The question then recurred on the amendment of Mr. Badger, on which the ayes and noes were ordered, on motion of Mr. McDuffie, and resulted in the negative, as follows:

AYES—Messrs. Badger, Battle of Edgecombe, Battle of Wake, Brodnax, Bunting, Cannon, Councill, Dick, Gilmer, Holmes, Howard, Kittrell, Long, Manning, McNeill of Cumberland, Meares, Osborne, Pettigrew, Rayner, Rhodes, Ruffin, Shipp, Speed, Starbuck, Strange, Strong of Mecklenburg, Strong of Wayne, Thomas of Carteret, Thomas of Jackson, Thompson, Turner, Washington and Woodfin—33.

NOES—Messrs. Allison, Battle of Nash, Berry, Bogle, Bryson, Calloway, Christian, Cunningham, Darden, Dickson, Douthitt, Durham, Ellison, Foster of Ashe, Fuller, Graham, Green, Hearne, Headen, Hicks, Holden, Joyce, Lyon, McDuffie, McNeill of Harnett, Mebane, Michal, Miller, Myers, Phifer, Reid, Sanders, Smith of Johnston, Smith of Macon, Sprouse, Thornton and Wilson—37.

Mr. Graham moved to amend by striking out "4 P. M.," and inserting "3 P. M.," on which the ayes and noes were ordered, on motion of Mr. Badger, and resulted in the affirmative, as follows:

AYES—Messrs. Allison, Battle of Edgecombe, Battle of Nash, Battle of Wake, Berry, Bryson, Bunting, Caldwell, Councill, Dick, Durham, Ellison, Fuller, Graham, Headen, Hicks, Holden, Holmes, Joyce, Long, McNeill of Harnett, Meares,

Mebane, Miller, Osborne, Phifer, Reid, Sanders, Smith of Johnston, Smith of Macon, Sprouse, Starbuck, Strong of Mecklenburg, Strong of Wayne, Thomas of Carteret, and Thornton—36.

NOES—Messrs. Badger, Bogle, Brodnax, Calloway, Cannon, Christian, Cunningham, Darden, Dickson, Foster of Ashe, Gilmer, Howard, Kittrell, McDuffie, McNeill of Cumberland, Michal, Myers, Pettigrew, Rayner, Rhodes, Ruffin, Shipp, Strange, Thomas of Jackson, Thompson, Turner, Washington, Wilson and Woodfin—29.

The resolution as amended was then adopted.

On motion of Mr. Graham, the Convention took a recess until 4 o'clock.

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#### 4 O'CLOCK, P. M.

Mr. Woodfin moved a call of the House, which being ordered, the roll was called and the following members answered to their names :

Messrs. Allison, Badger, Battle of Edgecombe, Battle of Nash, Battle of Wake, Berry, Brodnax, Brown, Bryson, Bunting, Caldwell, Cannon, Councill, Cunningham, Darden, Dickson, Durham, Edwards, Ellison, Foy, Fuller, Gilmer, Gorrell, Graham, Headen, Holmes, Howard, Joyce, Long, Manning, McDuffie, McNeill of Cumberland, McNeill of Harnett, Mebane, Michal, Osborne, Pettigrew, Phifer, Rayner, Reid, Rhodes, Ruffin, Shipp, Smith of Johnston, Smith of Macon, Speed, Starbuck, Strange, Strong of Mecklenburg, Strong of Wayne, Thomas of Carteret, Thomas of Jackson, Thompson, Thornton, Turner, Washington, Wilson and Woodfin—Present, 58.

There not being a quorum present, the Doorkeepers were ordered to bring in the absent members.

Messrs. Dick, Green, Kittrell and Mitchell subsequently appeared in their seats, thus completing a quorum.

Mr. Badger moved to take up the ordinance to raise troops for the defense of the State, on which the ayes and noes were ordered, and resulted in the affirmative, as follows :

**AYES**—Messrs. Badger, Battle of Edgecombe, Battle of Nash, Brodnax, Brown, Bunting, Caldwell, Cannon, Darden, Dickson, Edwards, Foy, Holmes, Howard, Kittrell, Long, Manning, McDuffie, McNeill of Cumberland, McNeill of Harnett, Meares, Mebane, Osborne, Pettigrew, Rayner, Reid, Rhodes, Ruffin, Smith of Johnston, Speed, Strange, Strong of Mecklenburg, Strong of Wayne, Thomas of Jackson, Thompson, Thornton, Turner and Washington—38.

**NOES**—Messrs. Allison, Battle of Wake, Berry, Bryson, Councill, Cunningham, Dick, Durham, Ellison, Fuller, Gilmer, Gorrell, Graham, Green, Headen, Joyce, Michal, Phifer, Shipp, Smith of Macon, Starbuck, Wilson and Woodfin—23.

The pending question being on the amendment of Mr. Ruffin, Mr. Strange moved to amend the amendment by striking out "fifteen," and inserting "three," on which the ayes and noes were ordered, and resulted in the affirmative, as follows:

**AYES**—Messrs. Battle of Edgecombe, Battle of Nash, Brodnax, Bryson, Bunting, Caldwell, Councill, Cunningham, Darden, Dickson, Durham, Edwards, Foy, Gilmer, Holmes, Howard, McDuffie, McNeill of Cumberland, McNeill of Harnett, Meares, Pettigrew, Rayner, Reid, Rhodes, Speed, Strange, Strong of Mecklenburg, Strong of Wayne, Thomas of Jackson, Thompson, Thornton, Turner, Washington and Woodfin—34.

**NOES**—Messrs. Allison, Badger, Battle of Wake, Berry, Brown, Cannon, Dick, Ellison, Fuller, Gorrell, Graham, Green, Headen, Joyce, Kittrell, Long, Manning, Mebane, Michal, Osborne, Phifer, Ruffin, Shipp, Smith of Macon, Spruill of Tyrrell, Starbuck and Wilson—27.

Mr. Rayner moved to amend the amendment as follows: "and in case the Governor shall fail to make such satisfactory arrangement with the President of the Confederate States for the transfer of these troops to the Confederate service, then this ordinance shall be considered as of no effect."

Mr. Michal moved to lay the whole subject on the table, on which the ayes and noes were ordered, on motion of Mr. Meares, and resulted in the affirmative, as follows:

AYES—Messrs. Allison, Badger, Battle of Wake, Berry, Brown, Bryson, Christian, Councill, Cunningham, Dick, Ellison, Fuller, Gorrell, Graham, Green, Hearne, Headen, Joyce, Long, Manning, Mebane, Michal, Mitchell, Osborne, Phifer, Ruffin, Shipp, Smith of Macon, Starbuck, Strong of Mecklenburg, Wilson and Woodfin—32.

NOES—Messrs. Battle of Edgecombe, Battle of Nash, Brodnax, Bunting, Caldwell, Cannon, Darden, Dickson, Edwards, Holden, Holmes, Howard, Jones of Rowan, McDuffie, McNeill of Cumberland, McNeill of Harnett, Meares, Pettigrew, Rayner, Reid, Rhodes, Speed, Spruill of Tyrrell, Strange, Strong of Wayne, Thomas of Jackson, Thompson, Thornton, Turner and Washington—30.

On motion of Mr. Woodfin, the ordinance to provide for the funding of the debt of the State was taken up, and passed the second reading.

On motion of Mr. Graham, the ordinance was ordered to be printed.

On motion of Mr. Rayner, the Convention proceeded to the consideration of the ordinance to tax money.

Mr. Rayner moved the following amendment: "Provided, that this ordinance shall not apply to any person who has less than one hundred dollars to list;" and it was agreed to.

Mr. Dick moved to add, after the words, "bank notes," the words, "and notes of the Confederate States," which was agreed to.

Mr. Wilson moved to add the words, "and treasury notes of this State," and it was not agreed to.

Mr. Rayner moved the following as an additional section, "That this ordinance may be modified or repealed by the General Assembly," which was adopted.

The ordinance as amended then passed the third reading, and was ordered to be enrolled.

Mr. Thompson, from the select committee on the subject, reported back the ordinance regulating the appointment of Company Officers, with a substitute therefor.

On motion of Mr. Gorrell, the rules were suspended and the ordinance passed the several readings, and ordered to be enrolled.

Mr. Battle, of Wake, moved to take up the ordinance concerning the organization of the drafted militia, and the motion prevailed.

The ordinance was read the second time.

Pending the consideration thereof,

On motion of Mr. Michal, the Convention adjourned to nine o'clock to-morrow morning.

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IN CONVENTION, WEDNESDAY, February 26, 1862.

The President called the Convention to order pursuant to adjournment.

The journal of yesterday was read and approved.

Mr. Strange introduced an ordinance, conferring on the Commissioners of the Town of Wilmington, certain powers for the defense of said town, which passed the first reading.

He moved to suspend the rules and put the ordinance on its several readings to-day. The motion prevailed, and the ordinance was read the second time.

Mr. Howard moved to amend as follows :

*"Be it further ordained, That whenever the commanding officer shall certify that the expenses incurred by the Commissioners, under this ordinance, were necessary for the defense of the State, the same shall be a charge of the Public Treasury ; Provided, That application shall have first been made to the Confederate Government, and they shall have failed to assume the payment of the same for the space of six months after the application, and that the provisions of this ordinance shall also extend to Washington and Newbern."*

The amendment was adopted, and, as amended, the ordinance passed the second reading, and was read the third time.

The question being on its final passage, Mr. Brown asked the yeas and nays, which were ordered, and resulted in the affirmative, as follows :

**AYES**—Messrs. Battle of Edgecombe, Battle of Nash, Brodnax, Bunting, Caldwell, Cannon, Christian, Darden, Dickson, Durham, Edwards, Ellison, Foy, Fuller, Green, Holden, Holmes, Howard, Joyce, McDuffie, Meares, Mebane, Michal, Osborne, Pettigrew, Phifer, Reid, Rhodes, Smith of Macon, Speed, Spruill of Tyrrell, Strange, Strong of Mecklenburg, Strong of Wayne, Thomas of Jackson, Thompson, Thornton, Turner, Washington and Woodfin—40.

**NOES**—Messrs. Allison, Badger, Battle of Wake, Berry, Brown, Bryson, Council, Cunningham, Dick, Gilmer, Gorrell, Graham, Hearne, Headen, Jones of Rowan, Kittrell, Long, Manning, Rayner, Ruffin, Starbuck, Thomas of Carteret, and Wilson—23.

Mr. Battle, of Wake, from the committee on Enrollments, reported as correctly enrolled, "An Ordinance to tax money," and "An ordinance regulating the appointment of Company officers," and the same were duly ratified.

Mr. Brown moved to take up the ordinance providing for the funding of Treasury notes, and the motion prevailed.

Mr. Woodfin moved to amend the ordinance by adding to the first section the words, "said bonds being of the denominations of five hundred dollars and one thousand dollars, in equal proportions," and it was agreed to.

Mr. Ruffin moved to strike out the words, "in current funds," and it was agreed to.

By the same, to amend the 9th line by adding the words, "payable twenty years after date, or sooner, at the pleasure of the State," which was also agreed to.

Mr. Woodfin moved to amend the 12th line by adding the words, "payable thirty years after the first day of January, 1862," and the amendment was adopted.

Mr. Graham moved to strike out "8" from the 11th line, and insert "7," on which the yeas and nays were ordered, on motion of Mr. Berry, and resulted in the negative, as follows:

**AYES**—Messrs. Battle of Edgecombe, Berry, Brown, Bryson, Cannon, Ellison, Graham, Green, Hearne, McDuffie, McNeill of Cumberland, Meares, Starbuck, Thompson, Turner and Wilson—16.

**NOES**—Messrs. Allison, Badger, Battle of Nash, Battle of Wake, Brodnax, Bunting, Caldwell, Councill, Cunningham, Dick, Dickson, Durham, Edwards, Foy, Fuller, Gilmer, Gorrell, Headen, Holden, Holmes, Howard, Jones of Rowan, Joyce, Kittrell, Long, Manning, McNeill of Harnett, Mebane, Michal, Osborne, Pettigrew, Phifer, Rayner, Reid, Rhodes, Ruffin, Shipp, Smith of Macon, Spruill of Tyrrell, Strange, Strong of Mecklenburg, Strong of Wayne, Thomas of Carteret, Thomas of Jackson, Thornton, Washington and Woodfin—47.

Mr. Meares moved to strike out of the second section the words, “or Confederate States,” and it was not agreed to.

Mr. Ruffin moved to add, after the words, “school purposes,” in the second section, the words, “and taxes for the poor,” and it was agreed to.

Mr. Woodfin moved to add to the third section the words, “Nor shall the Treasurer issue, in funding the six per cent. exchangeable bonds, and in payment against the State, more than one million five hundred thousand dollars in Treasury notes in addition to those already directed to be issued.”

Mr. Ruffin offered an amendment to the amendment, increasing the amount, which was agreed to—yeas 35, nays 29—the yeas and nays being ordered, on motion of Mr. Graham, as follows:

**AYES**—Messrs. Badger, Battle of Edgecombe, Battle of Wake, Berry, Brodnax, Brown, Caldwell, Cannon, Council, Cunningham, Dick, Edwards, Ellison, Fuller, Gorrell, Graham, Headen, Holden, Howard, Kittrell, Long, Manning, Mebane, Mitchell, Phifer, Rayner, Rhodes, Ruffin, Shipp, Smith of Macon, Speed, Starbuck, Thomas of Carteret, Washington and Wilson—35.

**NOES**—Messrs. Allison, Battle, of Nash, Bryson, Bunting, Darden, Dickson, Dillard, Foy, Gilmer, Green, Hearne, Holmes, Joyce, McDuffie, McNeill of Cumberland, McNeill of Harnett, Meares, Michal, Osborne, Pettigrew, Reid, Spruill of Tyrrell, Strong of Mecklenburg, Strong of Wayne, Thomas of Jackson, Thompson, Thornton, Turner and Woodfin—29.

The amendment as amended was then agreed to.



Mr. Battle of Wake moved to amend the 4th section, by adding after the word, "dollars," the words, "in equal proportions," and it was agreed to.

Mr. Ruffin moved to amend the 4th section by striking out the words, "by law," so as to make it accord with the 57th section of the 34th chapter of the Revised Code, and it was agreed to.

Mr. Howard moved to reconsider the vote by which Mr. Ruffin's amendment to the amendment of Mr. Woodfin was agreed to, on which the yeas and nays were ordered, on his motion, and resulted in the negative, as follows :

AYES—Messrs. Battle of Nash, Bunting, Council, Darden, Dickson, Durham, Foy, Fuller, Green, Holmes, Howard, McDuffie, McNeill of Cumberland, McNeill of Harnett, Meares, Michal, Osborne, Pettigrew, Phifer, Reid, Shipp, Spruill of Tyrrell, Strange, Strong of Mecklenburg, Strong of Wayne, Thomas of Jackson, Thompson, Thornton, Turner, Washington and Woodfin—31.

NOES—Messrs. Allison, Badger, Battle of Edgecombe, Battle of Wake, Berry, Brodnax, Bryson, Caldwell, Cannon, Christian, Cunningham, Dick, Edwards, Ellison, Gilmer, Gorrell, Graham, Hearne, Headen, Holden, Joyce, Kittrell, Long, Manning, Mebane, Mitchell, Rayner, Rhodes, Ruffin, Speed, Starbuck, Thomas of Carteret, and Wilson—33.

Mr. Starbuck moved to amend the 7th section by striking out, "one million," and inserting, "two-fifths of the capital stock," and also to add to the section the words, "receive or have on hand at any one time," and the amendments were adopted.

Mr. Battle, of Wake, introduced an additional section legalizing the act of the General Assembly providing for the issue of Treasury notes, and it was adopted.

Mr. Woodfin offered an amendment, which was agreed to, authorizing the Treasurer and Comptroller to employ deputies to assist them in signing Treasury notes.

Mr. Badger offered an amendment allowing the General Assembly to modify or amend the ordinance, and it was agreed to.

As amended the ordinance then passed the third reading, and was ordered to be enrolled.

Mr. Rayner moved to take up the ordinance providing for the removal of slaves from the sections of the State threatened by the enemy.

Mr. Graham, from the special committee to which was referred the Governor's communication and accompanying papers, reported back the same, and asked to be discharged from the further consideration of the subject, and the committee was discharged accordingly.

Mr. Howard moved to go into secret session. The motion prevailed and the doors were closed.

After some time spent in secret session the doors were opened and business in open session resumed.

Mr. Meares offered a resolution directing the publication of the ordinances of the Convention, and it was adopted.

Mr. Brown moved to take up the ordinance introduced yesterday, to allow drafted militia to choose their own officers.

The motion prevailed and the ordinance was read the second time.

Mr. McDuffie moved to lay the ordinance on the table, on which the yeas and nays were ordered, on motion of Mr. Brown, and resulted in the negative, as follows:

AYES—Messrs. Battle of Edgecombe, Battle of Nash, Brodnax, Bunting, Dickson, Durham, Edwards, Green, Jones of Rowan, McDuffie, Michal, Pettigrew, Phifer, Reid, Rhodes, Ruffin, Speed, Spruill of Tyrrell, Strange, Strong of Mecklenburg, and Thornton—20.

NOES—Messrs. Allison, Badger, Battle of Wake, Berry, Brown, Bryson, Caldwell, Cannon, Christian, Council, Cunningham, Darden, Dick, Ellison, Foy, Fuller, Gilmer, Gorrell, Graham, Hearne, Headen, Holden, Holmes, Joyce, Long, Manning, McNeill of Cumberland, McNeill of Harnett, Meares, Mebane, Osborne, Shipp, Smith of Macon, Starbuck, Strong of Wayne, Washington and Woodfin—37.

(Not a quorum voting.)

Mr. Gilmer offered the following resolution, which was unanimously adopted, (Mr. Graham in the Chair):

*Resolved*, That the thanks of this Convention are due, and are hereby cordially tendered to the Hon. Weldon N. Edwards, for the ability, assiduity, urbanity and impartiality which has uniformly, throughout the whole of the session, characterized his deportment in the discharge of his duties as presiding officer of this body.

The committee on Enrollments reported as correctly enrolled the ordinance to provide for the funding of the Treasury notes of the State, and the same was duly ratified.

Mr. Starbuck moved a call of the House, and the motion was not seconded.

The hour for adjournment being at hand, the President addressed the Convention, thanking the members for the courtesy and kindness received at their hands during the session, expressed confidence in the justice and final success of the cause in which we are engaged, and then declared the Convention adjourned to 12 o'clock, M., on the 21st of April next.

[The journal of the last day of the session was kept by J. H. Moore, in the absence of the Principal Secretary.]

and the American Medical Association have been working for many years to bring about a better understanding of the medical profession and the public. The American Medical Association has been successful in many of its efforts, and it is hoped that the public will be able to understand the medical profession better in the future.

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JOURNAL  
OF  
THE CONVENTION  
OF THE PEOPLE OF  
NORTH CAROLINA.

*Fourth Session.*

HELD IN APRIL AND MAY, 1862.

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RALEIGH :  
JNO. W. SYME, PRINTER TO THE CONVENTION.  
1862.

JOHN A.

# THE CONVENTION

OF THE PEOPLE OF A

NOTICE OF A

CONVENTION

TO BE HELD AT THE

AND STATE REGISTER TO THE CONVENTION

1885

# JOURNAL

OF THE

## STATE CONVENTION.

FOURTH SESSION, 1862.

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IN CONVENTION, MONDAY, April 21, 1862.

In pursuance of the order of adjournment, the Convention assembled this day and was called to order by the President.

Richard S. Donnell, delegate elect from Beaufort County to fill the vacancy caused by the death of Wm. J. Ellison, appeared, produced his credentials and took his seat.

The roll of members was then called, when the following answered to their names :

Messrs. Allison, Badger, Barnes, Berry, Caldwell, Christian, Darden, Donnell, Douthitt, Durham, Edwards, Foster of Randolph, Graham, Hearne, Headen, Holden, Kittrell, Leak of Richmond, Long, McNeill of Cumberland, McNeill of Harnett, Mitchell, Phifer, Rayner, Sanders, Satterthwaite, Schenck, Smith of Johnston, Starbuck, Thompson, Thornton, Warren and Wilson—33.

There not being a quorum present, on motion of Mr. Graham, the Convention adjourned to 10 o'clock to-morrow morning.

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IN CONVENTION, TUESDAY, April 22, 1862.

The President called the Convention to order pursuant to adjournment. The journal of the last day of last session, and the journal of yesterday were read and approved.

Mr. Rayner introduced certain amendments to the rules, which lie over one day.

The Convention then proceeded to the business on the calendar.

On motion of Mr. Gilmer, the ordinance to provide for the completion of the Cape Fear and Deep River Improvement, was made the special order for Thursday next at 11 o'clock.

The Convention then took up the question pending at the adjournment of the last session, being the motion of Mr. McDuffie to lay on the table the ordinance in relation to the drafted militia, when, by general consent, the same was informally passed over.

Mr. Graham offered a resolution in relation to the tax on spirituous liquors. On motion the rules were suspended and the resolution adopted.

The ordinance to establish the office of Lieutenant Governor was then read the second time; the question being on the substitute recommended by the committee.

Mr. Headen moved to postpone the consideration of the subject until the general report of the Executive committee shall come up for consideration, and it was not agreed to.

The substitute of the committee was then adopted.

Mr. Howard moved to amend by striking out the words, "clause —," in the first section, and inserting the words, "section 19," which was agreed to.

He also moved to amend by striking out the words "Speaker," in the second line of the 7th section, and inserting the words, "President;" also to insert the word, "Speaker," between the words, "or," and the words, "of the House of Commons," in the third line.

Also, to strike out in line 3rd, section 5th, the word "Speaker," and insert the word, "President," and the several amendments were agreed to.

The ordinance as amended then passed the second reading.

The ordinance in relation to the Cheraw and Coalfields Railroad, was then read the second time.

Mr. Christian moved to postpone the same and make it the special order for Friday next at 11 o'clock.



Mr. Schenck moved that it be indefinitely postponed, on which the ayes and noes were ordered, on motion of Mr. Schenck, and resulted in the negative, as follows :

AYES—Messrs. Bagley, Batchelor, Battle of Nash, Bunting, Cunningham, Darden, Dickson, Durham, Hargrove, Holmes, Howard, Kelly, Leak of Anson, McDuffie, Meares, Mitchell, Moseley, Rhodes, Royster, Sanders, Schenck, Setzer, Smith of Halifax, Smith of Johnston, Thompson, Thornton and Williams—27.

NOES—Messrs. Allison, Badger, Barnes, Battle of Wake, Berry, Caldwell, Calloway, Christian, Dick, Douthitt, Eller, Foster of Ashe, Foster of Randolph, Gilmer, Gorrell, Graham, Green, Hearne, Headen, Holden, Jones of Rowan, Joyce, Kittrell, Long, Mann, McNeill of Cumberland, McNeill of Harnett, Mebane, Myers, Phifer, Rayner, Satterthwaite, Speed, Starbuck, Thomas of Carteret, Warren and Wilson—37.

The motion of Mr. Christian was then agreed to.

On motion of Mr. Badger, Wm. R. Lovell was made Principal Doorkeeper in place of James Page, resigned, and Drury King was appointed Assistant Doorkeeper.

On motion of Mr. Badger, the Convention adjourned until 10 o'clock to-morrow morning.

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### IN CONVENTION, WEDNESDAY, April 23, 1862.

The President took the Chair and called the Convention to order. Prayer by Rev. Thomas E. Skinner of the Baptist Church.

The journal of yesterday was read and approved.

Mr. Holden presented a memorial from B. Melchior in relation to a system of domestic economy, which, on his motion, was referred to a select committee of three.

Mr. Speed presented the credentials of D. McDonald Lindsay, delegate elect from Currituck county, in place of J. B. Jones, resigned, whereupon he took his seat.

Mr. Jones, of Rowan, introduced a resolution in relation to the Governor, which lies over one day.

The amendment to the rules proposed by Mr. Rayner on yesterday were then taken up, read and adopted, after being amended, on motion of Mr. Graham.

Mr. Mitchell offered a resolution to withhold the payment of a certain claim allowed by the Board of Claims, because said claim has already been paid, and the resolution was adopted under a suspension of the rules.

The Convention then proceeded to the consideration of the ordinance to establish the office of Lieutenant Governor, on the third reading.

Mr. Graham moved to lay the ordinance on the table, on which the ayes and noes were ordered, and resulted in the negative, as follows:

AYES—Messrs. Allison, Bagley, Berry, Bogle, Cannon, Dick, Douthitt, Foster of Randolph, Graham, Green, Hearne, Headen, Houston, Jones of Rowan, Joyce, Kelly, Kittrell, Long, Mann, Mebane, Mitchell, Smith of Johnston, Speed, Starbuck, Thomas of Carteret; and Wilson—27.

NOES—Messrs. Atkinson, Barnes, Batchelor, Battle of Edgecombe, Bryson, Bunting, Caldwell, Calloway, Cunningham, Darden, Dickson, Durham, Edwards, Eller, Foster of Ashe, Fuller, Gilmer, Gorrell, Holden, Holmes, Howard, Johnston, Leak of Richmond, Manning, McDuffie, McNeill of Cumberland, McNeill of Harnett, Meares, Moseley, Myers, Osborne, Rayner, Rhodes, Royster, Sanders, Schenck, Setzer, Smith of Halifax, Spruill of Tyrrell, Strange, Thompson, Thornton, Williams and Williamson—46.

Mr. Graham then moved to amend the ordinance as follows: Strike out of the 1st line of the 4th section, the words between "the" and "absence," and inserting so as to make it read, "in case of the absence of the Governor from the State," &c.; on which the ayes and noes were ordered, on motion of Mr. Howard, and the amendment was lost, as follows:

AYES—Messrs. Allison, Bagley, Berry, Bryson, Cannon, Christian, Dick, Donnell, Douthitt, Edwards, Foster of Ashe, Foster of Randolph, Gorrell, Graham, Green, Hearne, Headen, Houston, Jones of Rowan, Joyce, Kelly, Kittrell, Lindsay, Long,

Mann, Manning, Mebane, Mitchell, Osborne, Sanders, Satterthwaite, Setzer, Smith of Johnston, Speed, Spruill of Tyrrell, Starbuck, Thomas of Carteret, Warren and Wilson—40.

NOES—Messrs. Atkinson, Barnes, Batchelor, Battle of Edgecombe, Battle of Nash, Bogle, Bunting, Caldwell, Calloway, Cunningham, Darden, Dickson, Durham, Fuller, Holden, Holmes, Howard, Johnston, Leak of Richmond, McDuffie, McNeill of Cumberland, Meares, Moseley, Myers, Phifer, Rayner, Ruffin, Schenck, Strange, Strong of Wayne, Thompson, Thornton and Williamson—34.

Mr. Graham also moved to strike out the word, “acquittal,” and it was agreed to.

Mr. Howard moved to insert the word “his” after the word “State,”—the word, “temporary” before the word “inability,” and to strike out the word “temporarily,” in the third line, and the amendments were agreed to.

He also moved to amend by striking out of line 4, the words, “and compensation,” also to insert the word “and” before the word “powers,” which amendments were adopted.

Mr. Graham moved to strike out the 5th, 6th and 7th sections, and it was not agreed to.

He then moved to strike out the 6th section, on which the ayes and noes were ordered, on motion of Mr. Howard, and resulted in the negative, as follows :

AYES—Messrs. Allison, Atkinson, Badger, Barnes, Berry, Bryson, Cannon, Christian, Douthitt, Eller, Foster of Randolph, Gorrell, Graham, Green, Hearne, Headen, Houston, Jones of Rowan, Joyce, Kelly, Kittrell, Lindsay, Long, Manning, Mitchell, Sanders, Satterthwaite, Smith of Johnston, Speed, Starbuck, Thomas of Carteret, Warren and Wilson—33.

NOES—Messrs. Bagley, Batchelor, Battle of Edgecombe, Battle of Nash, Bunting, Caldwell, Calloway, Cunningham, Darden, Dickson, Durham, Edwards, Foster of Ashe, Fuller, Holden, Holmes, Howard, Leak of Richmond, McDuffie, McNeill of Cumberland, McNeill of Harnett, Meares, Moseley, Osborne, Phifer, Rayner, Rhodes, Ruffin, Schenck, Setzer, Smith of Halifax,

Strong of Wayne, Thompson, Thornton, Williams and Williamson—36.

Mr. Badger moved the following as an additional section: "That this ordinance shall only have effect and operation in respect to the next ensuing election for Governor."

Pending the consideration of this amendment,

The President laid before the Convention a communication from the Governor in relation to speculation upon the necessities of life, which, on motion of Mr. Osborne, was referred to a select committee.

Also, a letter from the Comptroller of Public Accounts, in reply to a resolution adopted yesterday, which, on motion of Mr. Badger, was referred to the committee on Finance.

On motion of Mr. Badger, the Convention adjourned until 10 o'clock to-morrow morning.

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### IN CONVENTION, THURSDAY, April 24, 1862.

The President took the chair and called the Convention to order.

The journal of yesterday was read and approved.

The President announced the committee on the memorial of B. Melchior, as follows: Messrs. Holden, Donnell and Dick.

And on the message of the Governor: Messrs. Osborne, Gilmer, Dickson, Rayner and Schenck.

At Mr. Osborne's request he was excused from serving on the committee, and Mr. Strange was appointed in his place.

The President laid before the Convention a communication from our Senators and Representatives in Congress, enclosing certain documents in relation to the battle of Roanoke Island.

On motion of Mr. Graham, it was laid on the table, and the letter ordered to be printed.

Mr. Graham offered an ordinance to provide for the vacancy in the office of Governor, which passed its first reading.

The resolution introduced by Mr. Jones, of Rowan, on yesterday, was now taken up.

Mr. Jones, of Rowan, moved to lay the same on the table, and it was agreed to.

Mr. Speed presented a petition from J. M. Perry, of Tyrrell county, asking that he be allowed to continue the distillation of grain, which, on his motion, was ordered to lie on the table.

Mr. Badger presented a petition from the Society of Friends or Quakers, in relation to their exemption from military service, which, on his motion, was laid upon the table.

The unfinished business of yesterday was now taken up, the question being on Mr. Badger's amendment to the ordinance to create the office of Lieutenant Governor.

By consent, Mr. Badger withdrew his amendment, and the question recurred on the passage of the ordinance.

Mr. Badger moved to lay the subject on the table, on which the ayes add noes were ordered, on motion of Mr. Howard, and resulted in the affirmative, as follows:

AYES—Messrs. Allison, Atkinson, Badger, Barnes, Battle of Wake, Berry, Bogle, Bryson, Calloway, Cannon, Christian, Dick, Donnell, Douthitt, Eller, Foster of Ashe, Foster of Randolph, Gilmer, Gorrell, Graham, Green, Hearne, Headen, Houston, Jones of Rowan, Joyce, Kelly, Kittrell, Lindsay, Long, Mann, Manning, Mebane, Mitchell, Ruffin, Sanders, Satterthwaite, Smith of Johnston, Speed, Spruill of Tyrrell, Starbuck, Thomas of Carteret, Warren and Wilson—44.

NOES—Messrs. Bagley, Batchelor, Battle of Edgecombe, Battle of Nash, Brown, Bunting, Caldwell, Cunningham, Dickson, Durham, Edwards, Fuller, Holden, Holmes, Howard, Johnston, Leak of Richmond, McDowell of Burke, McDuffie, McNeill of Cumberland, McNeill of Harnett, Meares, Moseley, Myers, Osborne, Phifer, Rhodes, Royster, Schenck, Setzer, Smith of Halifax, Strange, Strong of Wayne, Thompson, Thornton, Williams and Williamson—38.

Mr. Badger moved that the Convention now consider the order heretofore introduced in regard to a disposition of the constitutional amendments embraced in certain resolutions agreed to on motion of Mr. Graham.

On this question the ayes and noes were ordered, on motion of Mr. Badger, and resulted in the affirmative, as follows:

AYES—Messrs. Allison, Atkinson, Badger, Barnes, Batchelor, Battle of Wake, Berry, Bogle, Brown, Bryson, Calloway, Cannon, Christian, Dick, Donnell, Douthitt, Eller, Foster of Ashe, Foster of Randolph, Fuller, Gilmer, Gorrell, Graham, Hearne, Headen, Holden, Houston, Jones of Rowan, Joyce, Kittrell, Lindsay, Long, Mann, Manning, Mebane, Mitchell, Osborne, Phifer, Ruffin, Sanders, Satterthwaite, Smith of Johnston, Speed, Spruill of Tyrrell, Starbuck, Thomas of Carteret, Warren and Wilson—48.

NOES—Messrs. Bagley, Battle of Edgecombe, Battle of Nash, Bunting, Caldwell, Cunningham, Dickson, Durham, Edwards, Holmes, Howard, Johnston, Kelly, Leak of Richmond, McDowell of Burke, McDuffie, McNeill of Cumberland, McNeill of Harnett, Meares, Moseley, Myers, Rhodes, Royster, Schenck, Smith of Halifax, Strange, Strong of Wayne, Thompson, Thornton, Williams and Williamson—31.

Mr. Howard moved to amend by adding the following: "*Provided*, That no amendments to the Constitution shall be considered at the present session of the Convention," on which the ayes and noes were ordered, on motion of Mr. Howard, and resulted in the affirmative, as follows:

AYES—Messrs. Atkinson, Bagley, Batchelor, Battle of Edgecombe, Battle of Nash, Brown, Bunting, Caldwell, Cunningham, Dickson, Durham, Edwards, Holmes, Howard, Johnston, Jones of Rowan, Leak of Richmond, Lindsay, McDowell of Burke, McDuffie, McNeill of Cumberland, McNeill of Harnett, Meares, Mosely, Myers, Osborne, Rayner, Royster, Sanders, Satterthwaite, Schenck, Smith of Halifax, Spruill of Tyrrell, Strange, Strong of Mecklenburg, Strong of Wayne, Thompson, Thornton, Williams and Williamson—41.

NOES—Messrs. Allison, Badger, Barnes, Battle of Wake, Berry, Bogle, Bryson, Calloway, Cannon, Christian, Dick, Donnell, Douthitt, Eller, Foster of Ashe, Foster of Randolph, Gilmer, Gorrell, Graham, Green, Hearne, Headen, Holden, Houston, Joyce, Kittrell, Long, Mann, Manning, Mebane, Mitchell, Phifer, Rhodes, Ruffin, Smith of Johnston, Speed, Starbuck, Thomas of Carteret, Warren and Wilson—40.

The question then recurring on the adoption of the order as amended, the ayes and noes were ordered, on motion of Mr. Howard.

Before the vote was taken, on motion of Mr. Graham, the subject was laid upon the table.

On motion of Mr. Badger the Convention adjourned to 10 o'clock to-morrow morning.

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### IN CONVENTION, FRIDAY, April 25, 1862.

The President called the Convention to order. Prayer by Rev. J. M. Atkinson, of the Presbyterian Church.

The journal of yesterday was read and approved.

Mr. Michal presented a petition from sundry citizens of Rutherford county, prayer the speedy adjournment of this Convention, which, on his motion, was ordered to lie on the table.

Mr. Rayner introduced an ordinance in regard to the holding of the courts in Hertford county, which passed its first reading. On his motion the rules were suspended, and the ordinance read the second and third times, passed, and ordered to be enrolled.

Mr. Gorrell introduced an ordinance in relation to the election of Governor, which passed its first reading.

Mr. Howard offered the following:

*Resolved*, That on Wednesday, the 30th of April, 1862, this Convention will adjourn *sine die*.

Lies over under the rule.

Mr. Howard introduced an ordinance amendatory of "An Ordinance to raise North Carolina's quota of Confederate troops, ratified the 19th day of February, 1862," which passed the first reading.

On motion of Mr. Badger, the Convention took up for consideration the ordinance to exempt members of the Society of Friends from the performance of military duty.

Pending the consideration of the subject, the hour arrived to take up the special order of the day, which, on motion of Mr. Badger, was postponed until the ordinance under consideration should be disposed of.

On motion of Mr. Warren, after considerable discussion, the further consideration of the subject was postponed until to-morrow.

Mr. Warren then announced to the Convention the death of Wm. J. Ellison, late a member of this body from Beaufort county, and introduced the following resolutions, which were unanimously adopted:

*Resolved*, That this Convention has heard, with deep regret, the intelligence of the demise, on the 6th of March last, of William J. Ellison, a delegate from the county of Beaufort.

*Resolved*, That it is the sense of this Convention that it has lost by this event, an able, upright, and useful member of this body, distinguished by industry, by devotion to his public trust, and by an intelligent performance of his duties as a representative, and that we bear cheerful testimony to his worth as a man, and to his integrity and capacity as a public servant.

*Resolved*, That we tender our sympathy to the family of the deceased, and that in token of respect for his memory we will wear the usual badge of mourning.

*Resolved*, That as a further token of respect this Convention do now adjourn.

The Convention then adjourned to 10 o'clock to-morrow morning.

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#### IN CONVENTION, SATURDAY, April 26, 1862.

The President called the Convention to order.

The journal of yesterday was read and approved.

Mr. Battle, of Wake, from the committee on Enrollments, reported as correctly enrolled, a resolution in relation to a certain claim allowed by the Board of Claims, which had already been paid, and an ordinance in regard to holding the courts in and for the county of Hertford, and the same were duly ratified.

Mr. Atkinson introduced an ordinance for the relief of the Banks of this State, which passed the first reading.



On motion of Satterthwaite, the rules were suspended, the ordinance read the second and third times, passed, and ordered to be enrolled.

Mr. Howard's resolution fixing a day of adjournment, was now taken up.

Mr. Satterthwaite moved to lay the resolution on the table, on which the ayes and noes were ordered, on motion of Mr. Howard, and resulted in the affirmative, as follows:

AYES—Messrs. Allison, Atkinson, Bagley, Barnes, Batchelor, Battle of Wake, Berry, Brown, Bryson, Calloway, Cannon, Christian, Dick, Douthitt, Eller, Foster of Randolph, Fuller, Gilmer, Gorrell, Graham, Green, Hearne, Headen, Holden, Joyce, Kittrell, Long, Mann, Manning, McNeill of Cumberland, McNeill of Harnett, Meares, Mebane, Rhodes, Ruffin, Sanders, Satterthwaite, Smith of Johnston, Starbuck, Warren, Washington and Wilson—42.

NOES—Messrs. Battle of Edgecombe, Battle of Nash, Bunting, Caldwell, Cunningham, Dickson, Durham, Edwards, Foster of Ashe, Greenlee, Hargrove, Holmes, Houston, Howard, Johnston, Kelly, Leak of Anson, Leak of Richmond, Lindsay, Lyon, McDowell of Burke, McDuffie, Michal, Mitchell, Moseley, Myers, Rayner, Royster, Schenck, Setzer, Smith of Halifax, Speed, Strange, Strong of Mecklenburg, Strong of Wayne, Thomas of Carteret, Thompson, Thornton, Williams and Williamson—40.

Mr. Graham's ordinance in regard to the election of Governor, was read the second time.

Mr. Gorrell moved as a substitute the ordinance on the same subject, heretofore introduced by him, and the same was accepted by Mr. Graham, and the question recurred on the passage of the ordinance as thus amended.

Mr. Barnes moved to amend the 4th section by striking out of the 3rd line, the words "in the Executive office," and inserting the word "and" before the word "take," which was agreed to.

Mr. Gorrell moved to amend the first section by striking out all after the word "September," and inserting "until his successor shall have been qualified." Agreed to.

Mr. Gorrell moved to amend the 8th line of the 3rd section by striking out all after the word "until," and inserting "his successor shall be qualified." Agreed to.

Mr. Green moved to strike out the 5th section, on which the ayes and noes were ordered, on motion of Mr. Howard, and resulted in the negative, as follows:

AYES—Messrs. Green and Smith of Johnston—2.

NOES—Messrs. Allison, Atkinson, Badger, Bagley, Barnes, Batchelor, Battle of Edgecombe, Battle of Nash, Battle of Wake, Berry, Bogle, Brodnax, Brown, Bryson, Bunting, Caldwell, Calloway, Cannon, Christian, Cunningham, Dick, Dickson, Douthitt, Durham, Edwards, Eller, Foster of Ashe, Foster of Randolph, Fuller, Gilmer, Gorrell, Graham, Greenlee, Hargrove, Hearne, Headen, Holden, Holmes, Houston, Howard, Johnston, Jones of Rowan, Joyce, Kelly, Kittrell, Leak of Anson, Leak of Richmond, Lindsay, Long, Lyon, Mann, Manning, McDowell of Burke, McDuffie, McNeill of Cumberland, McNeill of Harnett, Meares, Mebane, Michal, Mitchell, Moseley, Myers, Rayner, Rhodes, Royster, Ruffin, Sanders, Schenck, Setzer, Smith of Halifax, Speed, Starbuck, Strange, Strong of Mecklenburg, Strong of Wayne, Thomas of Carteret, Thompson, Thornton, Washington, Williams, Williamson and Wilson—81.

Mr. Smith, of Halifax, moved to amend by striking out of the third section the words "in the Executive office, and," which was agreed to.

Also, by striking out of the 2nd section the words "to the seat of government and delivers," which was agreed to.

Mr. Howard moved to strike out all except the enacting clause, and insert, "That the true construction of the Constitution is, that upon the death of the Governor, the office devolves upon the person designated by the Constitution to exercise the powers of the Governor for the residue of the gubernatorial term.

Mr. Battle, of Wake, asked for a division of the question so that the vote should first be taken on striking out.

The division being ordered, the ayes and noes were ordered, on motion of Mr. Howard, upon the question of striking out, and resulted in the negative, as follows:

AYES—Messrs. Batchelor, Battle of Edgecombe, Battle of Nash, Bunting, Caldwell, Calloway, Dickson, Durham, Edwards, Fuller, Green, Greenlee, Holmes, Howard, Johnston, McDowell of Burke, McDuffie, McNeill of Cumberland, McNeill of Harnett, Michal, Mitchell, Moseley, Rayner, Rhodes, Ruffin, Schenek, Setzer, Smith of Halifax, Strange, Strong of Mecklenburg, Strong of Wayne, Thomas of Carteret, and Williams—33.

NOES—Messrs. Allison, Atkinson, Badger, Bagley, Barnes, Battle of Wake, Berry, Bogle, Brown, Bryson, Cannon, Christian, Dick, Donnell, Douthitt, Eller, Foster of Ashe, Foster of Randolph, Gilmer, Gorrell, Graham, Hearne, Haden, Holden, Jones of Rowan, Joyce, Kelly, Kittrell, Leak of Anson, Leak of Richmond, Lindsay, Long, Lyon, Mann, Manning, Meares, Mebane, Myers, Royster, Sanders, Satterthwaite, Smith of Johnston, Speed, Starbuck, Thompson, Thornton, Warren, Washington, Williamson and Wilson—57.

Mr. Rayner moved to strike out all of the ordinance and insert the following:

*Resolved*, That His Excellency, Henry T. Clark, is, under the constitution of this State, Governor of the State until the first day of January, 1863; and that he is fully entitled and authorized to perform all the functions and duties of Governor, and to receive the salary provided by law, of said office, until the first day of January, 1863, and until his successor is elected and qualified.

That the Secretary of this Convention be directed to deliver a copy of the foregoing resolution to His Excellency, Henry T. Clark, and that he be requested to signify to this Convention his decision in regard to his exercising the functions of Governor, until the first day of January, 1863.

On motion of Mr. Badger the question was divided, and the vote ordered on striking out; on which the ayes and noes were

ordered, on motion of Mr. Battle, of Wake, and resulted in the negative, as follows:

**AYES**—Messrs. Batchelor, Battle of Edgecombe, Battle of Nash, Bunting, Caldwell, Calloway, Cunningham, Dickson, Durham, Edwards, Fuller, Green, Greenlee, Holmes, Howard, Johnston, Lyon, McDowell of Burke, McDuffie, McNeill of Cumberland, McNeill of Harnett, Michal, Mitchell, Moseley, Rayner, Rhodes, Royster, Ruffin, Smith of Halifax, Strange, Strong of Mecklenburg, Strong of Wayne, Thomas of Carteret, Thornton and Williams—35.

**NOES**—Messrs. Allison, Atkinson, Badger, Bagley, Barnes, Battle of Wake, Berry, Bogle, Brown, Bryson, Cannon, Christian, Dick, Donnell, Douthitt, Eller, Foster of Ashe, Foster of Randolph, Gilmer, Gorrell, Graham, Hearne, Headen, Holden, Houston, Jones of Rowan, Joyce, Kelly, Kittrell, Leak of Anson, Leak of Richmond, Lindsay, Long, Mann, Manning, Meares, Mebane, Myers, Sanders, Satterthwaite, Schenek, Smith of Johnston, Speed, Starbuck, Thompson, Warren, Washington, Williamson and Wilson—49.

Mr. Barnes moved to amend the 2d line of the third section by striking out the word "third," and inserting the word "fourth," and it was agreed to.

Mr. Badger moved to amend by striking out the words "first day," in the 3rd, 4th and 5th sections, respectively, and inserting the words "second Monday," and it was agreed to.

Mr. Ruffin moved to amend the 5th section by providing that the term of the Governor shall continue until his successor shall be qualified, and it was agreed to.

The question then recurred on the passage of the ordinance, on which the ayes and noes were ordered, on motion of Mr. Howard, and resulted in the affirmative, as follows:

**AYES**—Messrs. Allison, Atkinson, Badger, Bagley, Barnes, Batchelor, Battle of Edgecombe, Battle of Nash, Battle of Wake, Berry, Bogle, Brown, Bryson, Bunting, Caldwell, Calloway, Cannon, Christian, Cunningham, Dick, Douthitt, Durham, Eller, Foster of Ashe, Foster of Randolph, Fuller, Gilmer, Gorrell, Graham, Greenlee, Hargrove, Hearne, Headen, Hol-

den, Holmes, Houston, Howard, Johnston, Jones of Rowan, Joyce, Kelly, Kittrell, Leak of Anson, Leak of Richmond, Lindsay, Long, Lyon, Mann, Manning, McDowell of Burke, McDuffie, McNeill of Cumberland, McNeill of Harnett, Meares, Mebane, Michal, Moseley, Myers, Rhodes, Royster, Sanders, Satterthwaite, Schenck, Setzer, Smith of Halifax, Speed, Starbuck, Strong of Mecklenburg, Strong of Wayne, Thomas of Carteret, Thompson, Thornton, Warren, Washington, Williamson and Wilson—76.

NOES—Messrs. Dickson, Edwards, Green, Mitchell, Ruffin, Smith of Johnston, Strange and Williams—8.

On motion, the rules were suspended, the ordinance read the third time and passed, and ordered to be enrolled.

A message was received from His Excellency, the Governor, which enclosed a report from J. M. Worth, Salt Commissioner, and a letter from Prof. Eumons, in relation to the Salt Well in Chatham county, which were read, and ordered to lie on the table and be printed.

Mr. Meares offered the following:

*Resolved*, That a committee be appointed to investigate into the necessity of the purchase of a burial ground for the soldiers now in the service at and near this city, and that they report by ordinance or otherwise.

The rules were suspended and the resolution was adopted.

On motion of Mr. Badger, the Convention took up the ordinance to exempt Quakers from military duty.

Mr. Gorrell offered the following as a substitute: That members of good standing in the Society of Friends, commonly known as Quakers, who shall produce a regular certificate of membership, shall be exempt from performing militia duty and military service.

Mr. Howard moved to lay the subject on the table, on which the ayes and noes were ordered, on motion of Mr. Thomas, of Carteret, and resulted in the negative, as follows:

AYES—Messrs. Allison, Atkinson, Brown, Bryson, Bunting, Cunningham, Douthitt, Durham, Edwards, Eller, Foster of Ashe, Green, Greenlee, Hargrove, Hearne, Holmes, Howard,

Johnston, Joyce, Leak of Anson, Lindsay, Lyon, McDowell of Burke, McDuffie, McNeill of Cumberland, Michal, Moseley, Myers, Rayner, Royster, Schenck, Setzer, Smith of Halifax, Strange, Strong of Mecklenburg, Thompson, Thornton, Williams and Williamson—39.

NOES—Messrs. Badger, Bagley, Batchelor, Battle of Wake, Berry, Bogle, Caldwell, Calloway, Cannon, Christian, Dick, Dickson, Donnell, Foster of Randolph, Fuller, Gilmer, Gorrell, Graham, Headen, Holden, Houston, Jones of Rowan, Kelly, Kittrell, Leak of Richmond, Long, Mann, Manning, McNeill of Harnett, Mebane, Rhodes, Ruffin, Sanders, Satterthwaite, Smith of Johnston, Speed, Starbuck, Strong of Wayne, Thomas of Carteret, Warren, Washington and Wilson—42.

Mr. Smith, of Halifax, moved to amend as follows: "Which exemption shall only extend to the bearing of arms."

On this question the ayes and noes were ordered, on motion of Mr. McDuffie, and resulted in the negative, as follows:

AYES—Messrs. Atkinson, Battle of Edgecombe, Bryson, Bunting, Cunningham, Durham, Foster of Ashe, Hargrove, Hearne, Johnston, Joyce, Lyon, McDowell of Burke, McDuffie, McNeill of Cumberland, McNeill of Harnett, Michal, Moseley, Myers, Rayner, Royster, Schenck, Setzer, Smith of Halifax, Thompson and Williamson—26.

NOES—Messrs. Allison, Badger, Bagley, Batchelor, Battle of Wake, Berry, Bogle, Caldwell, Calloway, Cannon, Christian, Dick, Dickson, Donnell, Douthitt, Eller, Foster of Randolph, Fuller, Gilmer, Gorrell, Graham, Green, Greenlee, Headen, Holden, Holmes, Houston, Jones of Rowan, Kelly, Kittrell, Leak of Anson, Leak of Richmond, Lindsay, Long, Mann, Manning, Mebane, Rhodes, Ruffin, Sanders, Satterthwaite, Smith of Johnston, Speed, Starbuck, Strange, Strong of Wayne, Thomas of Carteret, Thornton, Warren, Washington, Williams and Wilson—53.

Mr. Schenck moved to amend by adding the words, "required by the laws of this State."

Mr. Jones, of Rowan, moved an adjournment, on which motion the ayes and noes were ordered, on motion of Mr. Schenck, and resulted in the affirmative, as follows:

**AYES**—Messrs. Allison, Atkinson, Barnes, Batchelor, Battle of Wake, Bogle, Bryson, Bunting, Caldwell, Cunningham, Douthitt, Durham, Fuller, Greenlee, Hargrove, Holmes, Howard, Jones of Rowan, Lindsay, Lyon, Mann, Manning, McDowell of Burke, McDuffie, McNeill of Cumberland, McNeill of Harnett, Michal, Myers, Rayner, Rhodes, Royster, Schenck, Setzer, Smith of Halifax, Strange, Strong of Wayne, Thompson, Thornton and Williams—38.

**NOES**—Messrs. Badger, Bagley, Berry, Brown, Calloway, Cannon, Christian, Dick, Dickson, Donnell, Foster of Ashe, Foster of Randolph, Gilmer, Gorrell, Graham, Headen, Houston, Johnston, Joyce, Kelly, Kittrell, Leak of Anson, Leak of Richmond, Long, Mebane, Mitchell, Moseley, Sanders, Satterthwaite, Smith of Johnston, Speed, Starbuck, Strong of Mecklenburg, Thomas of Carteret, Warren and Wilson—36.

The Convention then adjourned until to-morrow morning, 10 o'clock.

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#### IN CONVENTION, MONDAY, April 28, 1862.

The Convention met, the President in the chair. Prayer by Rev. Henry Hardie, of the Presbyterian Church.

The journal of yesterday was read and approved.

The President announced the following committee on the subject of a burial ground for the soldiers, viz: Messrs. Meares, Battle of Wake, Berry, Holden and Lyon.

Mr. Howard introduced an ordinance to amend an ordinance to secure certain officers and soldiers the right to vote, which passed its first reading.

Mr. Warren offered a resolution in regard to the assessment and collection of taxes in certain counties, which was adopted under a suspension of the rules.

By Mr. Schenck, a resolution in relation to the report of the committee of the Confederate Congress in regard to the battle of Roanoke Island, which lies over one day, under the rule.

On motion of Mr. Howard, the Convention took up the ordinance amendatory of the ordinance to raise North Carolina's quota of Confederate troops, on its second reading.

Mr. Smith, of Halifax, moved to amend section 1 by adding the following: "And also to such conscripts as shall be called into service by virtue of the act of Congress at the time they are mustered into the Confederate service."

On motion of Mr. Badger, the ordinance and amendment were referred to the committee on Military Affairs.

Mr. Gilmer introduced an ordinance to complete ten brigades and tender them to the Confederate States, which passed its first reading.

Mr. Strange moved that at half-past one o'clock the Convention sit with closed doors, which was agreed to.

Mr. Leak, of Richmond, moved to take from the table the resolution of Mr. Howard, relating to adjournment.

Mr. Badger moved to lay the motion on the table, on which the ayes and noes were ordered, on motion of Mr. Leak, of Richmond, and resulted in the negative, as follows:

AYES—Messrs. Allison, Badger, Barnes, Battle of Wake, Bogle, Bryson, Calloway, Cannon, Christian, Dick, Douthitt, Foster of Randolph, Gilmer, Graham, Green, Joyce, Kittrell, Long, Mann, Manning, Mitchell, Phifer, Rhodes, Ruffin, Satterthwaite, Spruill of Bertie, Starbuck and Wilson—28.

NOES—Messrs. Atkinson, Bagley, Batchelor, Battle of Edgecombe, Battle of Nash, Berry, Bunting, Dickson, Durham, Edwards, Hearne, Headen, Holmes, Houston, Howard, Jones of Rowan, Kelly, Leak of Anson, Leak of Richmond, Lindsay, Lyon, McDowell of Burke, McDuffie, Mcraes, Michal, Moseley, Rayner, Schenck, Setzer, Smith of Halifax, Smith of Johnston, Strange, Strong of Mecklenburg, Strong of Wayne, Thompson, Thornton, Williams, Williamson and Wooten—40.

Mr. Graham called for the orders of the day.

Mr. Leak, of Richmond, moved to postpone the special orders until his motion be disposed of, on which the ayes and noes were ordered, on his motion, and resulted in the negative, as follows:



AYES—Messrs. Atkinson, Bagley, Batchelor, Battle of Edgecombe, Battle of Nash, Bunting, Caldwell, Dickson, Durham, Edwards, Holmes, Howard, Jones of Rowan, Kelly, Leak of Anson, Leak of Richmond, Lyon, McDowell of Burke, McDuffie, McNeill of Cumberland, Michal, Moseley, Rayner, Schenck, Setzer, Smith of Halifax, Strange, Strong of Mecklenburg, Strong of Wayne, Thompson, Thornton, Williams, Williamson and Wooten—34.

NOES—Messrs. Allison, Badger, Barnes, Battle of Wake, Berry, Bogle, Bryson, Calloway, Cannon, Christian, Dick, Donnell, Douthitt, Foster of Randolph, Gilmer, Graham, Green, Hearne, Headen, Holden, Houston, Joyce, Kittrell, Long, Mann, Manning, Meares, Mitchell, Phifer, Rhodes, Ruffin, Satterthwaite, Smith of Johnston, Spruill of Bertie, Starbuck, Warren and Wilson—37.

The Convention then proceeded to the consideration of the special order, being the ordinance to exempt from military service, members of the Society of Friends, the pending question being on Mr. Schenck's amendment.

On this question the ayes and noes were ordered, on motion of Mr. Schenck, and resulted in the negative, as follows:

AYES—Messrs. Bagley, Batchelor, Battle of Edgecombe, Battle of Nash, Bunting, Caldwell, Durham, Holmes, Howard, Leak of Anson, Leak of Richmond, Lyon, McDowell of Burke, McDuffie, McNeill of Cumberland, Michal, Moseley, Myers, Phifer, Rayner, Schenck, Setzer, Smith of Halifax, Spruill of Bertie, Strange, Strong of Mecklenburg, Strong of Wayne, Thompson, Thornton, Williams, Williamson and Wooten—32.

NOES—Messrs. Allison, Atkinson, Badger, Barnes, Battle of Wake, Berry, Bryson, Calloway, Cannon, Christian, Dick, Dickson, Donnell, Douthitt, Foster of Randolph, Gilmer, Graham, Hearne, Headen, Holden, Houston, Jones of Rowan, Joyce, Kelly, Kittrell, Long, Mann, Manning, Meares, Rhodes, Ruffin, Satterthwaite, Smith of Johnston, Starbuck, Warren and Wilson—35.

Mr. Schenck then moved to amend as follows: "*Provided, That as an equivalent for such service they shall pay the sum*

of one hundred dollars, and in case they are unable to pay the same, the Governor shall have power to detail them to assist in the manufacture of salt or to attend the hospitals of the State."

Mr. Rayner moved to amend the amendment by inserting after the word "dollars," the words "to be levied and collected by the Sheriffs of the several counties as other State taxes;" which was agreed to.

Mr. Barnes moved to amend by inserting after the word "dollars," the words, "when called for by the proper authority," which was agreed to.

The question then recurred on the amendment as amended, on which the ayes and noes were ordered, on motion of Mr. Badger, and resulted in the affirmative, as follows:

AYES—Messrs. Atkinson, Bagley, Barnes, Battle of Nash, Bryson, Bunting, Caldwell, Cannon, Douthitt, Durham, Edwards, Hearne, Holmes, Howard, Joyce, Kittrell, Lindsay, Lyon, McDowell of Burke, McDuffie, McNeill of Cumberland, Michal, Mitchell, Moseley, Myers, Rayner, Schenck, Setzer, Smith of Halifax, Strange, Strong of Mecklenburg, Strong of Wayne, Thompson, Thornton, Williams, Williamson and Wooten—37.

NOES—Messrs. Allison, Badger, Batchelor, Battle of Edgecombe, Battle of Wake, Berry, Bogle, Calloway, Dick, Dickson, Donnell, Foster of Randolph, Gilmer, Graham, Headen, Holden, Houston, Jones of Rowan, Kelly, Leak of Anson, Leak of Richmond, Long, Mann, Phifer, Rhodes, Ruffin, Satterthwaite, Spruill of Bertie, Starbuck, Warren and Wilson—31.

On motion of Mr. Rayner, the amendment just adopted was further amended, by the insertion of a provision that the taxes thereby collected shall be used for the general purposes of the government.

The hour having arrived, the Convention proceeded to sit with closed doors.

After some time spent in secret session, the doors were again opened.

Mr. Speed asked and obtained leave to have it stated on the journal that had he been in his seat when the vote on Mr.

Schenck's amendment to the Quaker ordinance was taken, he would have voted in the negative.

On motion of Mr. Manning, leave of absence for the remainder of the week was granted to Mr. Battle, of Wake.

Mr. Jones, of Rowan, asked leave of absence for Mr. Fuller, which the Convention refused to grant.

The President announced the following committee on the resolution in regard to the assessment and collection of taxes in certain counties: Messrs. Warren, Holmes, Satterthwaite, Cannon, Dick, Spruill of Bertie, and Strong of Wayne.

On motion of Mr. Badger, the Convention adjourned until 10 o'clock to-morrow morning.

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#### IN CONVENTION, TUESDAY, April 29, 1862.

The President took the chair and called the Convention to order. Prayer by Rev. Dr. Mason, of the P. E. Church.

The journal of yesterday was read and approved.

The President announced the following committee on the report of the Salt Commissioner, and the letter of Prof. Emmons: Messrs. Meares, Manning, Lindsay, Gilmer and Setzer.

Mr. Strange, from the select committee on the Governor's message concerning the price of provisions, reported an ordinance on that subject, and recommended its passage, and the same passed the first reading.

The ordinance and communication were ordered to be printed.

Mr. Howard, from the committee on Military Affairs, reported back the ordinance amendatory of an ordinance to raise North Carolina's quota of Confederate troops, with a substitute, recommending its passage.

On his motion the rules were suspended, and the ordinance was now considered, the question being on agreeing to the substitute.

On motion of Mr. Barnes, the further consideration of the ordinance was postponed until Thursday next, and made the special order for 12 o'clock of that day.

Mr. Badger introduced an ordinance for the better regulation of the city of Raleigh, which passed its first reading.

Mr. Howard offered the following:

*Resolved*, That the Governor be requested to inform the Convention of the number of troops now in service at the expense of the State; whether the Confederate government is receiving North Carolina's quota at the designated camps of instruction at its expense, and by it to be supplied and armed; and also whether the conscription act of Congress has yet been made the subject of correspondence between the two governments.

On motion, the rules were suspended and the resolution was adopted.

Mr. Barnes offered the following:

*Resolved*, That a committee of three be appointed to prepare a draft of the Constitution of this State, omitting such provisions as are not now operative, and incorporating therein such amendments as have been heretofore adopted by the General Assembly and by this Convention, and report the same.

The resolution lies over one day.

Mr. Rayner introduced an ordinance to provide for the collection of the tax on spirituous liquors manufactured and sold in this State, imposed by an ordinance of this Convention, ratified the 2nd day of February, 1862, which passed the first reading. On motion, the rules were suspended and the ordinance read the second time, and amended so as to require its being given in charge to the grand juries of the several counties, then passed the second and third readings, and ordered to be enrolled.

Mr. Rayner offered a resolution authorizing the Comptroller to have published three hundred copies of the ordinance just passed and forward a copy to the Sheriff, Clerk of the County Court, Chairman of the Court and County Solicitor, of each county in the State.

The rules were suspended and the resolution was adopted.

The ordinance to exempt members of the Society of Friends from the performance of military duty, being the special order of the day, was now taken up.

Mr. Leak, of Richmond, moved to postpone the same, in order to take up the resolution relating to adjournment, on which motion the ayes and noes were ordered, and resulted in the negative by a tie vote, as follows:

AYES—Messrs. Atkinson, Bagley, Batchelor, Berry, Bunting, Caldwell, Darden, Dillard, Durham, Edwards, Greenlee, Headen, Hearne, Holmes, Houston, Howard, Johnston, Jones of Rowan, Leak of Anson, Leak of Richmond, McDowell of Burke, McNeill of Cumberland, McNeill of Harnett, Michal, Moseley, Rayner, Sanders, Schenck, Setzer, Smith of Halifax, Strange, Strong of Mecklenburg, Strong of Wayne, Thompson, Thornton, Williams, Williamson and Wooten—38.

NOES—Messrs. Allison, Badger, Barnes, Bogle, Bryson, Calloway, Cannon, Christian, Dickson, Donnell, Douthitt, Foster of Randolph, Gilmer, Graham, Green, Holden, Jones of Caldwell, Kelly, Kittrell, Lindsay, Long, Mann, Manning, Merritt, Mitchell, Myers, Rhodes, Ruffin, Satterthwaite, Smith of Johnston, Speed, Spruill of Bertie, Starbuck, Thomas of Carteret, Warren, Washington and Wilson—38.

Mr. Thompson moved to amend the ordinance under consideration, by adding, that all persons claiming this exemption shall not be entitled to vote at any of the elections established by law. On this question the ayes and noes were ordered, on motion of Mr. Barnes, and resulted in the negative, as follows:

AYES—Messrs. Battle of Nash, Caldwell, Johnston, McDowell of Burke, McDuffie, McNeill of Cumberland, Setzer, Strong of Mecklenburg, Thompson, Thornton and Williams—11.

NOES—Messrs. Allison, Atkinson, Badger, Bagley, Barnes, Batchelor, Battle of Edgecombe, Berry, Bogle, Bryson, Bunting, Calloway, Cannon, Christian, Darden, Dick, Dickson, Dillard, Donnell, Douthitt, Durham, Edwards, Foster of Randolph, Gilmer, Graham, Greenlee, Hearne, Headen, Holden, Holmes, Houston, Howard, Jones of Caldwell, Jones of Rowan, Joyce, Kelly, Kittrell, Leak of Anson, Leak of Richmond, Lindsay, Long, Mann, Manning, McNeill of Harnett, Merritt, Mitchell, Moseley, Myers, Rhodes, Ruffin, Sanders, Satterthwaite, Schenck, Smith of Halifax, Smith of Johnston, Speed, Spruill of Bertie,

Spruill of Tyrrell, Starbuck, Strong of Wayne, Thomas of Carteret, Warren, Washington, Williamson, Wilson and Wooten—66.

The ordinance then passed the second reading and was ordered to be printed.

The ordinance amending the Bill of Rights was taken up.

Mr. Leak, of Richmond, moved that it lie on the table, on which motion he asked the ayes and noes, which being ordered, resulted in the negative, as follows :

AYES—Messrs. Atkinson, Bagley, Batchelor, Battle of Nash, Bunting, Caldwell, Darden, Dickson, Dillard, Durham, Edwards, Greenlee, Holmes, Howard, Johnston, Jones of Caldwell, Jones of Rowan, Leak of Anson, Leak of Richmond, Lindsay, McDowell of Burke, McDuffie, McNeill of Cumberland, Michal, Moseley, Rayner, Schenck, Setzer, Smith of Halifax, Strange, Strong of Mecklenburg, Strong of Wayne, Thompson, Thornton, Washington, Williams, Williamson and Wooten—38.

NOES—Messrs. Allison, Badger, Barnes, Berry, Bogle, Bryson, Calloway, Cannon, Christian, Dick, Donnell, Douthitt, Foster of Randolph, Gilmer, Graham, Hearne, Headen, Holden, Houston, Joyce, Kittrell, Long, Mann, Manning, McNeill of Harnett, Merritt, Mitchell, Myers, Rhodes, Ruffin, Sanders, Satterthwaite, Smith of Johnston, Spruill of Bertie, Starbuck, Thomas of Carteret, Warren and Wilson—39.

The ordinance was then read by sections. The 6th section being read, Mr. Graham moved to amend so that it shall read, "All elections, of whatsoever nature, ought to be free," which was agreed to.

For the 7th section the committee recommend the following : "That in all criminal prosecutions, every man has a right to be informed of the accusation against him and to confront the accuser and witnesses with other testimony ; and shall not be compelled to give evidence against himself ; nor shall any person be subject for the same offense, to be twice put in jeopardy of life or limb ;" and the amendment was agreed to.

The 9th section being read, Mr. Ruffin moved to amend by striking out the word "heretofore," in the last line, and adding the words "before and on the 17th day of December, 1776," which was agreed to.

The committee recommended in lieu of the 12th, the following: That no free man ought to be taken, imprisoned or dis-seized of his freehold, liberties or privileges, or outlawed or exiled, or in any manner destroyed or deprived of his life, liberty or property, but by the law of the land; nor shall right or justice be sold, denied or delayed to any one; nor shall private property be taken for public use without just compensation; and the amendment was adopted.

The 15th section being read, Mr. Graham moved the following in lieu thereof: That every citizen may freely speak, write and publish his sentiments on all subjects, being responsible for the abuse of that liberty; and no law shall ever be passed to curtail, abridge or restrain the liberty of speech or of the press.

On this question the ayes and noes were ordered, on motion of Mr. Schenck, and resulted in the negative, as follows:

AYES—Messrs. Allison, Bagley, Berry, Bogle, Bryson, Cannon, Christian, Dick, Donnell, Gilmer, Graham, Hearne, Headen, Holden, Houston, Jones of Caldwell, Joyce, Long, Meares, Rhodes, Sanders, Satterthwaite, Smith of Johnston, Speed, Spruill of Tyrrell, Starbuck, Thomas of Carteret, and Wilson—28.

NOES—Messrs. Akinson, Badger, Barnes, Batchelor, Battle of Edgecombe, Battle of Nash, Bunting, Caldwell, Calloway, Darden, Dickson, Dillard, Douthitt, Durham, Edwards, Greenlee, Holmes, Howard, Johnston, Jones of Rowan, Kelly, Kittrell, Leak of Anson, Leak of Richmond, Manning, McDowell of Burke, McDuffie, McNeill of Cumberland, McNeill of Harnett, Michal, Rayner, Ruffin, Schenck, Setzer, Smith of Halifax, Strange, Strong of Mecklenburg, Strong of Wayne, Thompson, Thornton, Warren, Williams, Williamson and Wooten—43.

Mr. Mitchell moved to amend by striking out the word "the," in the first line, and insert the words "an honest," which was not agreed to.

Mr. Ruffin moved to amend the 17th section by adding as follows: No soldier shall, in time of peace, be quartered in any house, without the consent of the owner, nor in time of war, but in a manner prescribed by law; which was agreed to.

The remaining sections, except the 25th, having been read, Mr. Ruffin moved that the Convention adjourn, but at the request of Mr. Thompson, withdrew the motion.

Mr. Thompson then offered the following, by general consent:

*Resolved*, That this Convention do, on Saturday next, at 2 o'clock, P. M., adjourn, subject to the call of the President; and in case of his death, of Messrs. Graham, Howard, Badger, Smith of Halifax, and Rayner, or a majority of them, at any time from now until the first day of November, 1862; and if not thus called together by that time, that this Convention do stand adjourned *sine die*, without further order.

The resolution lies over one day.

Then, on motion of Mr. Ruffin, the Convention adjourned until 10 o'clock to-morrow morning.

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#### IN CONVENTION, WEDNESDAY, April 30, 1862.

The President called the Convention to order pursuant to adjournment. Prayer by Rev. Thomas E. Skinner, of the Baptist Church.

The journal of yesterday was read and approved.

Mr. McDowell, of Burke, introduced a resolution concerning the county of Burke, which was adopted, under a suspension of the rules, and ordered to be enrolled.

Mr. Thompson introduced an ordinance in regard to persons confined within prison bounds, which passed the first reading.

The resolutions of Mr. Schenck in relation to Roanoke Island were taken up, and agreed to, as follows:

*Resolved*, That the Convention of North Carolina has received the report of the committee of the House of Representatives of the Confederate States, raised for the purpose of investigating the causes of the fall of Roanoke Island, on the coast of North Carolina, with great pleasure, and that the Convention is gratified to know that neither the officers, men, or authorities of North Carolina are to blame for the unfortunate result; and that the patriotism and valor of our troops has been fully vindicated.



That ten copies of said report be printed for each member of this Convention.

Mr. Thompson's resolution relating to adjournment, introduced on yesterday, was now taken up.

Mr. Graham moved that it lie on the table, on which the ayes and noes were ordered, on motion of Mr. Thompson, and resulted in the negative, as follows:

AYES—Messrs. Allison, Armfield, Badger, Barnes, Berry, Bryson, Calloway, Cannon, Christian, Dick, Donnell, Douthitt, Eller, Foster of Randolph, Gilmer, Graham, Headen, Holden, Jones of Caldwell, Joyce, Kittrell, Lindsay, Long, Mann, Manning, McNeill of Harnett, Mitchell, Myers, Rhodes, Ruffin, Satterthwaite, Spruill of Bertie, Starbuck, Thomas of Carteret, Warren and Wilson—38.

NOES—Messrs. Atkinson, Bagley, Batchelor, Battle of Nash, Bunting, Caldwell, Dickson, Dillard, Durham, Edwards, Greenlee, Hargrove, Hearne, Holmes, Houston, Howard, Johnston, Jones of Rowan, Kelly, Leak of Anson, Leak of Richmond, McDowell of Burke, McDuffie, McNeill of Cumberland, Meares, Michal, Miller, Moseley, Penland, Phifer, Rayner, Sanders, Schenck, Setzer, Smith of Halifax, Smith of Johnston, Strange, Strong of Mecklenburg, Strong of Wayne, Sutherland, Thompson, Thornton, Washington, Williams, Williamson and Wooten—46.

At the suggestion of Mr. Batchelor, the word "Saturday" was stricken out, and "Wednesday" inserted.

Mr. Barnes moved to strike out "Wednesday," and insert "Monday, 12th of May," pending the consideration of which, Mr. Graham called for the orders of the day.

Mr. Jones, of Rowan, moved to postpone the orders of the day until the resolution under consideration shall be disposed of, on which the ayes and noes were ordered, on his motion, and resulted in the affirmative, as follows:

AYES—Messrs. Atkinson, Bagley, Barnes, Batchelor, Battle of Nash, Bunting, Caldwell, Dickson, Dillard, Durham, Edwards, Greenlee, Hargrove, Hearne, Holmes, Houston, Howard, Johnston, Jones of Caldwell, Jones of Rowan, Kelly, Leak of

Anson, Leak of Richmond, McDowell of Burke, McDuffie, McNeill of Cumberland, McNeill of Harnett, Michal, Miller, Moseley, Penland, Phifer, Rayner, Sanders, Schenck, Setzer, Smith of Halifax, Smith of Johnston, Strange, Strong of Mecklenburg, Strong of Wayne, Sutherland, Thompson, Thornton, Washington, Williams, Williamson and Wooten—48.

NOES—Messrs. Allison, Armfield, Badger, Berry, Bogle, Bryson, Calloway, Cannon, Christian, Dick, Donnell, Douthitt, Eller, Foster of Randolph, Gilmer, Graham, Green, Headen, Holden, Joyce, Kittrell, Lindsay, Long, Mann, Manning, Meares, Mitchell, Myers, Rhodes, Ruffin, Satterthwaite, Smith of Macon, Speed, Spruill of Bertie, Starbuck, Thomas of Carteret, Warren and Wilson—38.

The question recurred on the amendment offered by Mr. Barnes, and it was agreed to.

Mr. McDuffie moved to amend by providing that when the Convention adjourn it adjourn *sine die*, on which the ayes and noes were ordered, on motion of Mr. Barnes, and resulted in the negative, as follows:

AYES—Messrs. Battle of Nash, Caldwell, Durham, Hargrove, McDowell of Burke, McDuffie, Moseley and Penland—8.

NOES—Messrs. Allison, Armfield, Atkinson, Badger, Bagley, Barnes, Batchelor, Berry, Bogle, Bunting, Calloway, Cannon, Christian, Dick, Dickson, Dillard, Donnell, Douthitt, Edwards, Eller, Foster of Randolph, Gilmer, Graham, Green, Greenlee, Hearne, Headen, Holden, Holmes, Houston, Howard, Johnston, Jones of Caldwell, Jones of Rowan, Joyce, Kelly, Kittrell, Leak of Anson, Leak of Richmond, Long, Mann, Manning, McNeill of Cumberland, McNeill of Harnett, Meares, Merritt, Michal, Miller, Mitchell, Myers, Phifer, Rayner, Rhodes, Ruffin, Sanders, Satterthwaite, Schenck, Setzer, Smith of Halifax, Smith of Johnston, Smith of Macon, Speed, Spruill of Bertie, Starbuck, Strange, Strong of Mecklenburg, Strong of Wayne, Sutherland, Thomas of Carteret, Thompson, Thornton, Warren, Washington, Williams, Williamson, Wilson and Wooten—78.

Mr. Spruill, of Bertie, moved to postpone the further consideration of the subject until the 12th day of May, on which

the ayes and noes were ordered, and resulted in the negative, as follows:

AYES—Messrs. Allison, Armfield, Christian, Dick, Donnell, Douthitt, Fester of Randolph, Gilmer, Graham, Headen, Holden, Joyce, Kittrell, Mann, Manning, Merritt, Satterthwaite, Smith of Macon, Spruill of Bertie, Starbuck, Thomas of Carteret, Warren and Wilson—23.

NOES—Messrs. Atkinson, Badger, Bagley, Barnes, Batchelor, Battle of Nash, Berry, Bogle, Bryson, Bunting, Caldwell, Calloway, Cannon, Dillard, Durham, Edwards, Eller, Foster of Ashe, Green, Greenlee, Hargrove, Hearne, Holmes, Houston, Howard, Johnston, Jones of Caldwell, Jones of Rowan, Kelly, Leak of Anson, Leak of Richmond, Long, McDowell of Burke, McDuffie, McNeill of Cumberland, McNeill of Harnett, Meares, Michal, Miller, Mitchell, Moseley, Penland, Phifer, Rayner, Rhodes, Ruffin, Sanders, Scheuck, Setzer, Smith of Halifax, Smith of Johnston, Speed, Strange, Strong of Mecklenburg, Strong of Wayne, Sutherland, Thompson, Thornton, Washington, Williams, Williamson and Wooten—62.

Mr. Leak, of Richmond, offered a substitute providing for an adjournment on the 10th of May, subject to the call of the President or five named delegates, in case of emergency; and in case no emergency shall arise sooner, then to re-assemble at the close of the war and finish the business of amending the Constitution.

On this question the ayes and noes were ordered, on motion of Mr. Howard, and resulted in the negative, as follows:

AYES—Messrs. Allison, Atkinson, Berry, Bogle, Bryson, Cannon, Christian, Dick, Douthitt, Eller, Foster of Randolph, Gilmer, Graham, Hearne, Leak of Richmond, Long, McNeill of Cumberland, Penland, Smith of Macon, Starbuck and Wilson—21.

NOES—Messrs. Armfield, Badger, Barnes, Battle of Edgecombe, Bunting, Caldwell, Calloway, Dickson, Dillard, Donnell, Durham, Foster of Ashe, Green, Greenlee, Hargrove, Headen, Holden, Holmes, Howard, Johnston, Jones of Caldwell, Jones of Rowan, Joyce, Kelly, Leak of Anson, Mann, Manning,

McDowell of Burke, McDuffie, McNeill of Harnett, Merritt, Michal, Mitchell, Moseley, Phifer, Rayner, Rhodes, Ruffin, Sanders, Satterthwaite, Schenck, Setzer, Smith of Halifax, Smith of Johnston, Speed, Spruill of Bertie, Strange, Strong of Mecklenburg, Strong of Wayne, Sutherland, Thompson, Thornton, Warren, Williams, Williamson and Wooten—57.

The question now recurred on the resolution as amended, on which the ayes and noes were ordered, on motion of Mr. Schenck, and resulted in the affirmative, as follows:

AYES—Messrs. Atkinson, Badger, Bagley, Barnes, Batchelor, Battle of Nash, Bunting, Caldwell, Christian, Dickson, Dillard, Durham, Edwards, Foster of Ashe, Green, Greenlee, Hargrove, Holmes, Houston, Howard, Johnston, Jones of Caldwell, Jones of Rowan, Leak of Anson, McDowell of Burke, McDuffie, McNeill of Cumberland, McNeill of Harnett, Michal, Miller, Mitchell, Moseley, Penland, Phifer, Rayner, Sanders, Schenck, Setzer, Smith of Halifax, Smith of Johnston, Strange, Strong of Mecklenburg, Strong of Wayne, Sutherland, Thompson, Thornton, Williams, Williamson and Wooten—49.

NOES—Messrs. Allison, Armfield, Berry, Bogle, Bryson, Calloway, Cannon, Dick, Donnell, Douthitt, Eller, Foster of Randolph, Gilmer, Graham, Hearne, Headen, Holden, Joyce, Kelly, Leak of Richmond, Long, Mann, Manning, Merritt, Ruffin, Satterthwaite, Smith of Macon, Speed, Spruill of Bertie, Starbuck, Thomas of Carteret, Warren and Wilson—33.

Mr. Rayner presented a communication from the Public Treasurer, which, without being read, was ordered to lie on the table.

On motion of Mr. Badger, the Convention adjourned until to-morrow morning 10 o'clock.

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IN CONVENTION, THURSDAY, May 1, 1862.

The Convention met, the President in the chair.

The journal of yesterday was read and approved.

The President laid before the Convention the resignation of R. F. Armfield, delegate from the county of Yadkin, and the same was accepted.

A message from the Governor in answer to a resolution of inquiry in regard to the troops now in camp; also a letter from the Secretary of War, were received, and ordered to lie on the table and be printed.

The communication of D. W. Courts, Public Treasurer, presented on yesterday, was read, ordered to be printed; and, on motion, referred to the committee of Finance.

Mr. Manning, from the committee on the report of the Salt Commissioner and the letter of Prof. Emmons, reported an ordinance to amend the ordinance to provide for a supply of salt, ratified during the second session of the Convention, which passed its first reading.

Mr. Myers gave notice of an amendment he would offer at the proper time, which was read for information and ordered to be printed.

Mr. Warren, from the committee on that subject, reported an ordinance for the collection of taxes in certain counties, which passed its first reading.

Mr. Michal offered a resolution asking information of the Adjutant General in relation to the number of troops now and heretofore in the service of the State, and the number furnished by each county respectively.

On motion, the rules were suspended, and the resolution agreed to.

Mr. Washington introduced an ordinance to limit the growth of cotton and tobacco, which passed the first reading.

Mr. Smith, of Macon, from the committee on Enrollments, reported as correctly enrolled, "A resolution concerning the county of Burke," which was duly ratified.

Mr. Rayner offered a series of resolutions in relation to the order of business and the sessions of the Convention, and moved to suspend the rules and put the same on the passage now. On this motion the ayes and noes were ordered, on motion of Mr. Smith, of Johnston, and resulted in the affirmative, as follows:

AYES—Messrs. Allison, Atkinson, Berry, Bogle, Brown, Bryson, Caldwell, Calloway, Cannon, Christian, Dick, Dillard, Douthitt, Durham, Eller, Foster of Ashe, Foster of Randolph, Gilmer, Gorrell, Graham, Green, Hamlin, Hearne, Headen, Holden, Houston, Jones of Caldwell, Joyee, Kelly, Kittrell, Leak of Anson, Leak of Richmond, Long, Mann, Manning, Merritt, Michal, Miller, Myers, Penland, Phifer, Rayner, Rhodes, Ruffin, Sanders, Satterthwaite, Shipp, Smith of Johnston, Smith of Macon, Speed, Spruill of Bertie, Starbuck, Strong of Mecklenburg, Warren, Williamson and Wilson—56.

NOES—Messrs. Bagley, Barnes, Batchelor, Battle of Edgecombe, Battle of Nash, Bunting, Dickson, Donnell, Edwards, Greenlee, Howard, Johnston, Jones of Rowan, Lindsay, McDowell of Burke, McDuffie, McNeill of Cumberland, Royster, Schenck, Setzer, Strange, Strong of Wayne, Sutherland, Thompson, Thornton and Wooten—26.

Mr. Howard then moved to amend the resolutions by providing that ordinances and resolutions which do not relate to a change of the Constitution shall be first considered, on which the ayes and noes were ordered, on motion of Mr. Howard, and resulted in the negative, as follows:

AYES—Messrs. Bagley, Batchelor, Battle of Edgecombe, Battle of Nash, Brown, Bunting, Caldwell, Dickson, Dillard, Durham, Edwards, Howard, Johnston, Jones of Rowan, Leak of Anson, Leak of Richmond, Lindsay, McDowell of Burke, McDuffie, McNeill of Cumberland, Miller, Royster, Schenck, Setzer, Smith of Halifax, Strange, Strong of Mecklenburg, Strong of Wayne, Sutherland, Thompson, Thornton, Washington, Williamson and Wooten—34.

NOES—Messrs. Allison, Atkinson, Badger, Barnes, Berry, Bogle, Bryson, Calloway, Cannon, Christian, Dick, Douthitt, Eller, Foster of Ashe, Foster of Randolph, Gilmer, Gorrell, Graham, Green, Hamlin, Hearne, Holden, Jones of Caldwell, Joyce, Kelly, Kittrell, Long, Mann, Manning, Merritt, Michal, Myers, Penland, Phifer, Rayner, Rhodes, Ruffin, Sanders, Satterthwaite, Shipp, Smith of Johnston, Smith of Macon, Speed, Spruill of Bertie, Starbuck, Warren and Wilson—47.

Mr. Badger moved to lay the resolutions on the table, on which the ayes and noes were ordered, on his motion, and resulted in the negative, as follows:

AYES—Messrs. Badger, Bagley, Batchelor, Battle of Edgecombe, Battle of Nash, Bunting, Caldwell, Dickson, Dillard, Donnell, Durham, Edwards, Greenlee, Howard, Johnston, Jones of Rowan, Lindsay, McDowell of Burke, McDuffie, Miller, Royster, Schenck, Smith of Halifax, Strange, Strong of Mecklenburg, Strong of Wayne, Sutherland, Thompson, Thornton and Wooten—31.

NOES—Messrs. Allison, Atkinson, Barnes, Berry, Bogle, Brown, Bryson, Calloway, Cannon, Christian, Dick, Douthitt, Eller, Foster of Ashe, Foster of Randolph, Gilmer, Gorrell, Graham, Green, Hamlin, Hearne, Headen, Holden, Jones of Caldwell, Joyce, Kittrell, Leak of Anson, Leak of Richmond, Long, Mann, Manning, Merritt, Michal, Myers, Penland, Phifer, Rayner, Rhodes, Ruffin, Sanders, Satterthwaite, Shipp, Smith of Johnston, Smith of Macon, Speed, Spruill of Bertie, Starbuck, Williamson and Wilson—49.

Mr. Strange moved to strike out all that part relating to the order of business, and insert: That no alterations or amendments of the Constitution shall be considered or acted upon at this session of the Convention.

On this question the ayes and noes were ordered, on motion of Mr. Schenck, and resulted in the negative, as follows:

AYES—Messrs. Bagley, Batchelor, Battle of Nash, Brown, Bunting, Caldwell, Dickson, Dillard, Durham, Edwards, Greenlee, Howard, Johnston, Jones of Rowan, Leak of Anson, Leak of Richmond, Lindsay, McDowell of Burke, McDuffie, McNeill of Cumberland, Miller, Royster, Schenck, Setzer, Smith of Halifax, Strange, Strong of Mecklenburg, Strong of Wayne, Sutherland, Thompson, Thornton, Washington, Williamson and Wooten—34.

NOES—Messrs. Allison, Atkinson, Badger, Barnes, Berry, Bogle, Bryson, Calloway, Cannon, Christian, Dick, Donnell, Douthitt, Eller, Foster of Ashe, Foster of Randolph, Gilmer, Gorrell, Graham, Hamlin, Hearne, Headen, Holden, Houston,

Jones of Caldwell, Joyce, Kelly, Kittrell, Long, Mann, Manning, Merritt, Michal, Mitchell, Myers, Penland, Phifer, Rayner, Rhodes, Ruffin, Sanders, Satterthwaite, Shipp, Smith of Johnston, Smith of Macon, Speed, Spruill of Bertie, Starbuck, Warren and Wilson—50.

Mr. Badger moved to amend by striking out the words "ten minutes," and inserting "fifteen minutes," and it was not agreed to.

He then moved to strike out all that part of the resolutions which restricts the speeches of members, on which the ayes and noes were ordered, on his motion, and resulted the negative, as follows :

AYES—Messrs. Badger, Barnes, Battle of Edgecombe, Bunting, Donnell, Kittrell, McDuffie, McNeill of Cumberland, Mitchell, Royster, Ruffin, Strange, Strong of Wayne, Sutherland, Thornton, Warren, Washington and Wooten—18.

NOES—Messrs. Allison, Atkinson, Bagley, Batchelor, Battle of Nash, Berry, Bogle, Brown, Bryson, Caldwell, Calloway, Cannon, Christian, Dick, Dickson, Dillard, Douthitt, Durham, Edwards, Eller, Foster of Ashe, Foster of Randolph, Gilmer, Gorrell, Graham, Green, Greenlee, Hamlin, Hearne, Headen, Holden, Jones of Caldwell, Jones of Rowan, Joyce, Kelly, Leak of Anson, Leak of Richmond, Lindsay, Long, Mann, Manning, McDowell of Burke, Merritt, Michal, Miller, Myers, Penland, Rayner, Rhodes, Sanders, Satterthwaite, Schenck, Setzer, Shipp, Smith of Halifax, Smith of Johnston, Smith of Macon, Speed, Spruill of Bertie, Starbuck, Strong of Mecklenburg, and Wilson—72.

Mr. Barnes moved to strike out that part which provides for night sessions and insert a provision that the afternoon session shall begin at 4 and end at 8 o'clock, P. M.

Mr. Rayner asked a division of the question, and the vote being taken on striking out was decided in the negative.

Mr. Caldwell moved to postpone the subject indefinitely, on which the ayes and noes were ordered, on his motion, and resulted in the negative, as follows :



AYES—Messrs. Batchelor, Battle of Edgecombe, Battle of Nash, Bunting, Caldwell, Dickson, Dillard, Donnell, Edwards, Greenlee, Howard, Johnston, Jones of Rowan, Leak of Anson, Leak of Richmond, McDowell of Burke, McNeill of Cumberland, Royster, Schenck, Setzer, Smith of Halifax, Strange, Strong of Mecklenburg, Strong of Wayne, Sutherland, Thompson, Thornton and Wooten—28.

NOES—Messrs. Allison, Atkinson, Badger, Bagley, Barnes, Berry, Bogle, Bryson, Calloway, Cannon, Christian, Dick, Douthitt, Eller, Foster of Ashe, Foster of Randolph, Gilmer, Gorrell, Graham, Green, Hamlin, Hearne, Headen, Holden, Houston, Jones of Caldwell, Joyce, Kelly, Kittrell, Lindsay, Long, Mann, Manning, Merritt, Michal, Miller, Mitchell, Myers, Penland, Phifer, Rayner, Rhodes, Ruffin, Sanders, Satterthwaite, Shipp, Smith of Johnston, Smith of Macon, Speed, Spruill of Bertie, Starbuck, Warren, Washington and Wilson—54.

The orders of the day being called for, Mr. Rayner moved to postpone the same until the pending question be disposed of, on which the ayes and noes were ordered, on motion of Mr. Schenck, and resulted in the affirmative, as follows:

AYES—Messrs. Allison, Atkinson, Barnes, Berry, Bogle, Bryson, Calloway, Cannon, Christian, Dick, Douthitt, Eller, Foster of Ashe, Foster of Randolph, Gilmer, Gorrell, Graham, Green, Hamlin, Headen, Hearne, Holden, Houston, Jones of Caldwell, Joyce, Kelly, Kittrell, Long, Mann, Manning, Merritt, Michal, Mitchell, Myers, Penland, Phifer, Rayner, Rhodes, Ruffin, Sanders, Satterthwaite, Shipp, Smith of Johnston, Smith of Macon, Speed, Spruill of Bertie, Starbuck, Warren, Washington and Wilson—51.

NOES—Messrs. Bagley, Batchelor, Battle of Nash, Brown, Bunting, Caldwell, Dickson, Dillard, Donnell, Durham, Edwards, Greenlee, Howard, Johnston, Jones of Rowan, Leak of Richmond, McDowell of Burke, McNeill of Cumberland, Miller, Royster, Schenck, Setzer, Smith of Halifax, Strange, Strong of Mecklenburg, Strong of Wayne, Sutherland, Thompson, Thornton, Williamson and Wooten—31.

The question recurred on the adoption of the resolutions, on which the ayes and noes were ordered, on motion of Mr. Schenck, and resulted in the affirmative, as follows :

AYES—Messrs. Allison, Atkinson, Badger, Bagley, Berry, Bogle, Bryson, Calloway, Cannon, Christian, Dick, Douthitt, Durham, Eller, Foster of Ashe, Foster of Randolph, Gilmer, Gorrell, Graham, Green, Hamlin, Hearne, Headen, Holden, Houston, Jones of Caldwell, Joyce, Kelly, Kittrell, Lindsay, Long, Manning, Merritt, Michal, Miller, Mitchell, Myers, Penland, Phifer, Rayner, Ruffin, Sanders, Satterthwaite, Shipp, Smith of Halifax, Smith of Johnston, Smith of Macon, Speed, Spruill of Bertie, Starbuck, Washington, Williamson and Wilson—53.

NOES—Messrs. Barnes, Batchelor, Battle of Edgecombe, Battle of Nash, Brown, Bunting, Caldwell, Dickson, Dillard, Donnell, Edwards, Greenlee, Howard, Johnston, Jones of Rowan, Leak of Anson, Leak of Richmond, McDowell of Burke, McNeill of Cumberland, Royster, Schenck, Setzer, Strange, Strong of Mecklenburg, Strong of Wayne, Sutherland, Thompson, Thornton and Wooten—29.

Mr. Badger moved to reconsider the vote by which the resolutions were agreed to, and the motion did not prevail.

The ordinance amending the Bill of Rights was taken up, the question being on the 25th section, which the committee recommended should be stricken out.

After considerable discussion, the report of the committee was concurred in.

Mr. Graham moved to insert, in lieu of the section just stricken out, the following: "The jurisdiction of the State of North Carolina shall extend over all the territory now and recently in her possession; the Atlantic Ocean being on the East; the State of Virginia on the North; Tennessee on the West; and Georgia and South Carolina on the South; her lines of separation from these several States being those established and recognized by surveys made under the British or Provincial authority, during her colonial condition, and under compacts of limits with the said several co-terminous States since her independence.

The amendment was not agreed to.

The question was then put and the ordinance passed its second reading.

On motion of Mr. Speed, the Convention took up the ordinance to pay Rev. Maurice H. Vaughan for services as chaplain at Roanoke Island.

After some discussion the ordinance passed the second reading. The rules were suspended, the ordinance read the third time and passed, and ordered to be enrolled.

On motion of Mr. Badger, the resolutions heretofore laid on the table by him, but not read, were taken up for consideration.

Pending the consideration thereof, the hour arrived, and the Convention took a recess until 4 o'clock.

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4 O'CLOCK, P. M.

The Convention proceeded to the consideration of Mr. Badger's resolutions, which are as follows:

*Resolved*, That this Convention has seen, with great pleasure, a proclamation by his Excellency, the Governor, rebuking a recent unconstitutional movement towards disarming the people; that the same is, in language and conception, worthy the Chief Magistrate of a free State; and that the Governor is entitled to the support as well as approval of the people and all the authorities of the State in the position taken by him in behalf of North Carolina.

And further: Whereas this Convention has heard that citizens of this State, unconnected with the army, have been seized by military authority, forcibly transported beyond its bounds, and are now held in close prison in another State; and particularly, whereas, one Isaiah Respass, of the county of Beaufort, in this State, hath been so seized and transported, and is now, as is commonly believed, so detained at Richmond, in the State of Virginia; and, whereas, said Respass, nor any other citizen of this State, in like case, is, in any manner subject or liable to be held or tried by any military authority, but, on the contrary,

he and they are, by express provisions of the Confederate and of the State Constitutions, amenable only to civil tribunals, and have a right to a hearing and trial before the courts of the Confederacy or of the State, according to the nature of the offense with which they stand charged—such trial to be had in open court, according to due course of law; and, whereas, it is the duty of the State to protect from unlawful violence, as far as possible, every one of her citizens, and to insure to each a fair trial in a lawful court having jurisdiction of his case; therefore,

*Resolved*, That His Excellency, the Governor, be requested by this Convention, if he shall be satisfied of the facts herein stated, immediately to demand of the authorities at Richmond, the return to this State of the said Isaiah Respass, and other citizens confined as aforesaid, in order that he and they be delivered over to the civil authority here, either of this State or of the Confederate States, for examination, and, if sufficient cause appear, for commitment and trial, so that, if innocent of the matters laid to their charge, they may be acquitted, or, if guilty, be convicted and punished by due course of law.

After considerable time spent in the discussion of the resolutions.

Mr. Schenck moved an adjournment, on which the ayes and noes were ordered, on motion of Mr. Smith, of Johnston, and resulted in the negative, as follows:

AYES—Messrs. Battle of Nash, Bunting, Caldwell, Dickson, Durham, Edwards, Howard, Johnston, McDowell of Burke, McNeill of Cumberland, Penland, Rhodes, Royster, Schenck, Setzer, Strange, Strong of Mecklenburg, Strong of Wayne, Sutherland, Thompson and Thornton—21.

NOES—Messrs. Allison, Atkinson, Badger, Bagley, Barnes, Batchelor, Berry, Bryson, Calloway, Cannon, Christian, Cunningham, Dillard, Douthitt, Eller, Foster of Ashe, Foster of Randolph, Gilmer, Graham, Green, Hamlin, Hearne, Headen, Jones of Caldwell, Jones of Rowan, Joyce, Kelly, Kittrell, Leak of Anson, Leak of Richmond, Long, Mann, Manning, Merritt, Mitchell, Phifer, Sanders, Satterthwaite, Smith of

Halifax, Smith of Johnston, Smith of Macon, Speed, Spruill of Bertie, Starbuck, Warren, Williamson and Wilson—47.

The resolutions were still further considered, when,

On motion of Mr. Badger, the Convention adjourned.

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#### IN CONVENTION, FRIDAY, May 2, 1862.

The President called the Convention to order.

The journal of yesterday was read and approved.

Mr. Smith, of Macon, from the committee on Enrollments, reported as correctly enrolled the following ordinances and resolutions :

An ordinance concerning the election of Governor ;

An ordinance for the relief of the Banks of the State ;

An ordinance to provide for the collection of the tax on spirituous liquors manufactured and sold within this State, imposed by an ordinance of the Convention, ratified the 21st day of February, 1862 ;

A resolution to authorize the Comptroller to have printed and distributed to certain county officers copies of the ordinance to provide for the collection of the tax on spirituous liquors, as amended, which were severally duly ratified in open Convention.

On motion of Mr. Dick, the President was instructed to issue a writ of election to the Sheriff of Yadkin county, on the 22d day of May, instant, to fill the vacancy occasioned by the resignation of R. F. Armfield.

Mr. Bagley offered a resolution to raise a committee to inquire into the facts connected with the burning of the schooner, Jennie Hunter, laden with corn, bacon, &c., by order of Col. Clarke, commanding the Department of Roanoke.

On motion, the rules were suspended and the resolution adopted.

Mr. Battle, of Nash, introduced an ordinance to provide for the collection of taxes, and for other purposes, which passed the first reading. On motion, the rules were suspended and the ordinance read the second time, and after consideration, was postponed until to-morrow.

On motion of Mr. Howard, the Convention proceeded to the consideration of the ordinance to amend the ordinance to secure to certain officers and soldiers the right to vote.

Mr. Howard moved to amend as follows: And in case the polls cannot be conveniently opened on that day, then on the first convenient day of the following week, which was agreed to.

Mr. Graham moved the following substitute: That the time of making returns of all elections held among the soldiers of this State, without the limits of the counties in which they reside, shall be extended for three weeks from the day of holding said elections; and the several Sheriffs of counties shall not make up their returns of the result of any election until the receipt of the returns of the vote of soldiers, provided they be received within that time; and provided further, that in the election of Governor, the time may be extended to four weeks, if the returns to the Sheriffs shall not be earlier made.

Mr. Kittrell moved to amend the amendment as follows: And that it shall be the duty of the Adjutant General of the State to give the colonel of each regiment information of the day of election; and the amendment was agreed to.

Mr. Starbuck moved to amend the amendment as follows: And if any officer or other person shall attempt, by threats, falsehood, misrepresentation, or other undue means, to influence any soldier in giving his vote, he shall forfeit and pay the sum of five hundred dollars, to be collected in the name of the State, one-half to the use of the informer and the other half to the use of the State.

Mr. Barnes moved to refer the whole subject to a select committee.

The motion was agreed to, and the President appointed Messrs. Barnes, Howard, Graham, Michal and Bunting.

The President laid before the Convention a communication from the Adjutant General in reply to a resolution asking information as to the number of troops from this State now in service, &c., which, on motion of Mr. Kittrell, was referred to a special committee, to constitute which, the President appointed the following: Messrs. Kittrell, Cunningham, McDowell of Burke, Osborne and Foster of Randolph.

The President also announced the following as the committee of inquiry concerning the burning of the schooner Jennie Hunter: Messrs. Bagley, Myers, Miller, Caldwell and Penland.

The Convention then proceeded to the consideration of the ordinance in relation to the legislative department of the Constitution.

The second section having been read, Mr. Graham moved to amend by inserting the words "any of," before the words "the Confederate," in the 1st line, and it was agreed to.

Mr. Mitchell moved to strike out the words "or of any of the Confederate States," which was not agreed to.

Mr. Smith moved to insert in the 17th line, after the word "mulatto," the word "Indian," which was agreed to.

He also moved to insert the words "or Indian," after the word "negro," in the 18th line, which was not agreed to.

Mr. Schenck moved to amend by striking out of the 8th line the word "pauper," on which the ayes and noes were ordered, and resulted in the affirmative, as follows:

AYES—Messrs. Atkinson, Bagley, Barnes, Bogle, Bryson, Bunting, Caldwell, Cannon, Christian, Cunningham, Dick, Dickson, Dillard, Donnell, Douthitt, Durham, Foster of Ashe, Foster of Randolph, Greenlee, Hamlin, Hargrove, Hearne, Headen, Holden, Howard, Johnston, Jones of Rowan, Joyce, Kittrell, Long, Mann, McDuffie, McNeill of Cumberland, Merritt, Miller, Myers, Osborne, Royster, Sanders, Satterthwaite, Schenck, Setzer, Shipp, Smith of Johnston, Smith of Macon, Spruill of Bertie, Strange, Strong of Mecklenburg, Sutherland, Thornton, Warren and Wooten—52.

NOES—Messrs. Badger, Batchelor, Berry, Calloway, Eller, Gorrell, Graham, Green, Jones of Caldwell, Kelly, Leak of Richmond, Manning, Mebane, Michal, Mitchell, Penland, Rayner, Rhodes, Ruffin, Smith of Halifax, Starbuck, Thomas of Carteret, Washington and Williamson—24.

Mr. Ruffin moved to amend the 5th section by striking out all that part which provides that no compensensation shall be given to members of the General Assembly, after the forty-fifth day of the session.

Pending the consideration of this question, the hour arrived and the Convention took a recess until 4 o'clock.

4 O'CLOCK, P. M.

Mr. Batchelor moved that leave of absence for three days [be granted Mr. ———,] on which the ayes and noes were ordered, on motion of Mr. Badger, and resulted in the affirmative, as follows:

AYES—Messrs. Atkinson, Bagley, Batchelor, Berry, Brown, Bunting, Cunningham, Dickson, Dillard, Durham, Edwards, Eller, Graham, Greenlee, Hamlin, Hargrove, Holden, Howard, Johnston, Kelly, Leak of Anson, Leak of Richmond, Long, McDowell of Burke, McDowell of Madison, McDuffie, McNeill of Cumberland, Mebane, Michal, Miller, Royster, Ruffin, Satterthwaite, Setzer, Starbuck, Strong of Mecklenburg, Sutherland, Thompson, Thornton, Woodfin and Wooten—41.

NOES—Messrs. Allison, Barnes, Bryson, Calloway, Cannon, Christian, Douthitt, Foster of Randolph, Gilmer, Headen, Joyce, Kittrell, Lindsay, Mann, Myers, Phifer, Smith of Macon, Speed, Washington and Wilson—20.

The business on the calendar was then taken up:

1. An ordinance to submit constitutional amendments to the people—passed over, on motion of Mr. Brown.

2. An ordinance in relation to the Cherokee Indians—laid on the table, on motion of Mr. Howard.

3. An ordinance concerning the Superior and Supreme Courts—indefinitely postponed, on motion of Mr. Badger.

The question here arose whether the ordinances and resolutions were to be considered in numerical order to the displacement of special orders. The President decided that, according to the order adopted by the Convention, all subjects were of equal grade, and would be taken up as they stood on the calendar. For the purpose of testing the sense of the Convention on the subject, Mr. Badger, appealed from the decision of the chair, and the question being put, was decided in the affirmative, sustaining the decision of the chair.

The business on the calendar was then resumed.

4. Resolution respecting separate courts for cities and towns—indefinitely postponed, on motion motion of Mr. Badger.



5. Ordinance to allow free negroes to enslave themselves—laid on the table, on motion of Mr. Jones, of Rowan.

6. Resolution instructing the Board of Claims to report the claims of certain railroads—on motion of Mr. Satterthwaite, ordered to lie on the table.

8. Resolution to complete the Western N. C. Railroad—laid on the table, on motion of Mr. Satterthwaite.

9. Resolution of inquiry as to the expediency of completing the Western Turnpike—on motion of Mr. Smith, of Macon, referred to a select committee, on which the President announced Messrs. Smith of Macon, Woodfin, Bogle, Wilson and Battle of Wake.

10. Ordinance to define and punish sedition.

Mr. Graham moved that it lie on the table, on which the ayes and noes were ordered, on motion of Mr. Howard, and resulted in the negative, as follows:

AYES—Messrs. Badger, Berry, Brown, Cannon, Donnell, Douthitt, Gilmer, Graham, Headen, Holden, Houston, Jones of Rowan, Kittrell, Long, Mitchell, Satterthwaite, Smith of Johnston, Smith of Macon, Spruill of Bertie, Starbuck, Warren and Wilson—22.

NOES—Messrs. Allison, Atkinson, Bagley, Barnes, Batchelor, Battle of Nash, Bogle, Bryson, Bunting, Caldwell, Callo way, Cunningham, Dickson, Dillard, Durham, Edwards, Eller, Foster of Ashe, Gorrell, Green, Greenlee, Howard, Johnston, Jones of Caldwell, Joyce, Kelly, Leak of Anson, Leak of Richmond, Lindsay, McDowell of Burke, McDowell of Madison, McDuffie, McNeill of Cumberland, Mebane, Michal, Miller, Myers, Penland, Rayner, Rhodes, Royster, Ruffin, Schenck, Setzer, Strange, Strong of Mecklenburg, Sutherland, Thomas of Carteret, Thompson, Thornton, Washington, Woodfin and Wooten—53.

The question being on the passage of the ordinance its second reading, the ayes and noes were ordered, on motion of Mr. Badger.

Mr. Brown moved to amend by striking out the words "or shall maliciously and advisedly endeavor to excite the people to resist the government of this State or of the Confederate States."

Pending the consideration of this amendment, Mr. Jones, of Rowan, moved an adjournment, on which the ayes and noes were ordered, on motion of Mr. Michal, and resulted in the affirmative, as follows:

AYES—Messrs. Allison, Badger, Bagley, Barnes, Batchelor, Berry, Bogle, Brown, Bryson, Bunting, Caldwell, Calloway, Cannon, Donnell, Douthitt, Edwards, Eller, Foster of Randolph, Gilmer, Graham, Greenlee, Headen, Holden, Houston, Jones of Rowan, Joyce, Kelly, Kittrell, Leak of Anson, Long, McNeill of Cumberland, Mebane, Miller, Mitchell, Myers, Penland, Rhodes, Ruffin, Satterthwaite, Smith of Johnston, Smith of Macon, Speed, Spruill of Bertie, Starbuck, Sutherland, Warren, Washington and Wooten—49.

NOES—Messrs. Battle of Nash, Christian, Cunningham, Dickson, Dillard, Durham, Foster of Ashe, Gorrell, Green, Hamlin, Hearne, Howard, Johnston, Jones of Caldwell, Leak of Richmond, McDowell of Burke, McDuffie, Michal, Phifer, Rayner, Royster, Sanders, Schenck, Setzer, Strange, Strong of Mecklenburg, Thornton, Wilson and Woodfin—28.

So the Convention adjourned to 10 o'clock to-morrow morning.

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### IN CONVENTION, SATURDAY, May 3, 1862.

The Convention met, the President in the chair.

The journal of yesterday was read and approved.

The President laid before the Convention a report from the Board of Claims, which, on motion of Mr. Satterthwaite, was referred to a select committee.

The President announced the following as the committee: Messrs. Mebane, Leak of Anson, McNeill of Cumberland, Johnston and Atkinson.

Mr. Howard offered the following:

*Resolved*, That the committee of Finance inquire into the propriety of issuing an additional amount of Treasury notes of the denominations of ten cents and five cents. On motion, the rules were suspended and the resolution adopted.

Mr. Myers offered the following :

*Resolved*, That the unfinished business of yesterday be postponed until Monday next at 3 o'clock, P. M., and that the Convention go into secret session at 3 o'clock, this day, to consider the subject of a supply of Salt.

*Resolved, further*, That the consideration of the supply of salt shall have precedence of all miscellaneous matters now on the calendar.

The rules were, on motion, suspended for the purpose of considering the resolutions at this time.

Mr. Sanders moved to amend by striking out "Monday," and inserting "Tuesday," and it was not agreed to.

Mr. Howard moved the following substitute: That this Convention will go into secret session this morning at 11 o'clock to consider the supply of salt.

Mr. Gilmer moved to lay the subject on the table, on which the ayes and noes were ordered, on motion of Mr. Howard, and resulted in the affirmative, as follows :

AYES—Messrs. Allison, Atkinson, Barnes, Berry, Bogle, Bryson, Calloway, Cannon, Christian, Dick, Douthitt, Edwards, Eller, Foster of Ashe, Foster of Randolph, Gilmer, Gorrell, Graham, Green, Hamlin, Hearne, Headen, Holden, Houston, Jones of Rowan, Joyce, Kittrell, Long, Mann, Merritt, Mitchell, Osborne, Rayner, Rhodes, Sanders, Satterthwaite, Shipp, Smith of Johnston, Smith of Macon, Speed, Spruill of Tyrrell, Starbuck, Thomas of Carteret, Washington and Wilson—45.

NOES—Messrs. Bagley, Batchelor, Battle of Nash, Bunting, Caldwell, Cunningham, Dickson, Dillard, Durham, Greenlee, Howard, Johnston, Leak of Anson, Leak of Richmond, Lindsay, McDowell of Burke, McDuffie, Miller, Myers, Penland, Phifer, Royster, Schenck, Setzer, Spruill of Bertie, Strange, Strong of Mecklenburg, Sutherland, Thompson, Thornton, Williamson and Wooten—32.

Mr. Satterthwaite introduced an ordinance to prevent injustice being done to persons who have employed substitutes for the war, which was read and referred to the committee on the Adjutant General's communication.

The unfinished business of yesterday was now taken up, being the ordinance relating to the legislative department of the Constitution—the pending question being on the motion of Mr. Ruffin.

After some discussion the amendment was withdrawn in order that amendments to other parts of the section could be introduced.

Mr. Schenck moved to strike out the word “biennial,” in the second line, and insert “annual,” on which the ayes and noes were ordered, on motion of Mr. Schenck, and resulted in the negative, as follows:

AYES—Messrs. Allison, Atkinson, Barnes, Brown, Bunting, Caldwell, Edwards, Gilmer, Holden, Jones of Rowan, Kelly, Miller, Osborne, Sanders, Satterthwaite, Schenck, Smith of Johnston, Speed, Spruill of Bertie, Thornton, Williamson and Wooten—22.

NOES—Messrs. Badger, Bagley, Batchelor, Battle of Nash, Berry, Bogle, Bryson, Calloway, Cannon, Christian, Cunningham, Dick, Dickson, Dillard, Donnell, Douthitt, Durham, Eller, Foster of Ashe, Foster of Randolph, Gorrell, Graham, Green, Greenlee, Hamlin, Hearne, Houston, Howard, Johnston, Joyce, Kittrell, Leak of Anson, Leak of Richmond, Lindsay, Long, Mann, McDowell of Burke, McDowell of Madison, McDuffie, Mebane, Merritt, Michal, Mitchell, Penland, Phifer, Rayner, Rhodes, Royster, Ruffin, Setzer, Shipp, Smith of Macon, Spruill of Tyrrell, Starbuck, Strong of Mecklenburg, Sutherland, Thomas of Carteret, Thompson, Warren, Washington, Wilson and Woodfin—62.

Mr. Graham moved to strike out the word “annual,” in the third line, on which the ayes and noes were ordered, on motion of Mr. Sanders, and resulted in the negative, as follows:

AYES—Messrs. Barnes, Battle of Nash, Berry, Cannon, Christian, Dickson, Dillard, Donnell, Foster of Ashe, Graham, Green, Joyce, Kelly, Leak of Anson, Leak of Richmond, Penland, Sanders, Spruill of Tyrrell, Starbuck, Warren and Wilson—21.

NOES—Messrs. Allison, Atkinson, Badger, Bagley, Batchelor, Bogle, Brown, Bryson, Bunting, Caldwell, Calloway, Cun-

ningham, Dick, Douthitt, Durham, Edwards, Eller, Foster of Randolph, Gilmer, Gorrell, Greenlee, Hamlin, Hearne, Holden, Houston, Howard, Johnston, Jones of Rowan, Kittrell, Lindsay, Long, Mann, McDowell of Burke, McDowell of Madison, McDuffie, Mebane, Merritt, Michal, Miller, Mitchell, Osborne, Phifer, Rayner, Rhodes, Royster, Ruffin, Satterthwaite, Schenck, Setzer, Shipp, Smith of Johnston, Smith of Macon, Speed, Spruill of Bertie, Strong of Mecklenburg, Sutherland, Thomas of Carteret, Thornton, Washington, Williamson, Woodfin and Wooten—62.

Mr. Gorrell moved amend so that the limitation should only extend to the second session, and the amendment not agreed to.

Mr. Osborne moved to amend so that the session might be extended beyond forty-five days, and it was not agreed to.

Mr. Ruffin now renewed his motion, on which the ayes and noes having been previously ordered, were now taken, and resulted in the negative, as follows :

AYES—Messrs. Bogle, Brown, Donnell, Lindsay, Mann, Rhodes, Ruffin, Speed, Strange, Strong of Mecklenburg, Thomas of Carteret, Warren and Williamson—13.

NOES—Messrs. Allison, Atkinson, Badger, Bagley, Batchelor, Battle of Nash, Berry, Bryson, Bunting, Caldwell, Callo-way, Cannon, Christian, Cunningham, Dick, Dickson, Dillard, Douthitt, Durham, Edwards, Eller, Foster of Ashe, Foster of Randolph, Gilmer, Gorrell, Graham, Green, Hamlin, Hearne, Holden, Houston, Howard, Johnston, Jones of Rowan, Joyce, Kelly, Leak of Anson, Leak of Richmond, Long, McDowell of Burke, McDowell of Madison, McDuffie, Meares, Mebane, Merritt, Michal, Miller, Mitchell, Osborne, Phifer, Rayner, Royster, Sanders, Satterthwaite, Schenck, Setzer, Shipp, Smith of Johnston, Smith of Macon, Spruill of Bertie, Starbuck, Sutherland, Thornton, Washington, Wilson, Woodfin and Wooten—66.

He now moved to strike out “fifty-five” and insert “fifty-two,” on which the ayes and noes were ordered, on motion of Mr. Berry, and resulted in the negative, as follows :

AYES—Messrs. Allison, Batchelor, Bogle, Dickson, Gorrell, Lindsay, Merritt, Mitchell, Rayner, Rhodes, Ruffin, Satterthwaite, Strange and Strong of Mecklenburg—14.

NOES—Messrs. Atkinson, Badger, Bagley, Barnes, Battle of Nash, Berry, Bryson, Bunting, Caldwell, Calloway, Cannon, Christian, Cunningham, Dick, Dillard, Douthitt, Durham, Edwards, Eller, Foster of Ashe, Foster of Randolph, Gilmer, Graham, Green, Hamlin, Hearne, Holden, Houston, Howard, Johnston, Jones of Rowan, Joyce, Kelly, Leak of Anson, Leak of Richmond, Long, McDowell of Burke, McDowell of Madison, McDuffie, Michal, Miller, Osborne, Phifer, Royster, Sanders, Schenck, Setzer, Shipp, Smith of Johnston, Smith of Macon, Starbuck, Sutherland, Thompson, Thornton, Washington, Williamson, Wilson, Woodfin and Wooten—59.

Mr. Cannon moved to strike out “forty-five” and insert “thirty,” and it was not agreed to.

The 7th section was then read.

Mr. Ruffin moved to amend the last line so that it shall read, “a freehold of the assessed value for taxation of, at least, one thousand dollars,” which was agreed to.

Mr. Barnes now moved to strike out “twenty-five” and insert “twenty-one,” on which the ayes and noes were ordered, and resulted in the negative, as follows:

AYES—Messrs. Barnes, Batchelor, Bryson, Cunningham, Donnell, Green, Hamlin, Joyce, Kittrell, McDuffie, Sanders, Schenck, Spruill of Bertie, Thornton and Warren—15.

NOES—Messrs. Allison, Atkinson, Badger, Bagley, Battle of Nash, Berry, Bogle, Brown, Bunting, Caldwell, Calloway, Cannon, Christian, Dick, Dickson, Dillard, Douthitt, Durham, Edwards, Eller, Foster of Ashe, Foster of Randolph, Gilmer, Gorrell, Graham, Greenlee, Houston, Howard, Johnston, Jones of Rowan, Leak of Anson, Leak of Richmond, Long, Mann, McDowell of Burke, McDowell of Madison, Merritt, Michal, Miller, Mitchell, Osborne, Penland, Phifer, Rayner, Rhodes, Royster, Ruffin, Satterthwaite, Setzer, Shipp, Smith of Macon, Starbuck, Strange, Strong of Mecklenburg, Strong of Wayne, Sutherland, Thompson, Washington, Williamson, Wilson, Woodfin and Wooten—63.

He also moved to strike out all that part which requires a freehold qualification.

In order to perfect, before the vote was taken, Mr. Jones, of Rowan, moved to strike "one thousand," and insert "five hundred dollars."

Pending the consideration of which, the hour arrived, and the Convention took a recess until 4 o'clock.

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4 O'CLOCK, P. M.

The Convention met and resumed the consideration of the question pending at the hour of adjournment on yesterday, being the ordinance to define and punish sedition, the immediate question being on the amendment offered by Mr. Brown.

By consent, Mr. Rayner modified the words proposed to be stricken out, so as to read, "the execution of the laws," in place of "the government."

Mr. Satterthwaite moved that the ordinance be indefinitely postponed, on which he asked the ayes and noes, which being ordered, resulted in the affirmative, as follows:

AYES—Messrs. Allison, Atkinson, Badger, Bagley, Barnes, Battle of Wake, Berry, Bogle, Brown, Bryson, Calloway, Cannon, Christian, Dick, Donnell, Douthitt, Eller, Foster of Ashe, Foster of Randolph, Gilmer, Graham, Greenlee, Hamlin, Hearne, Holden, Jones of Rowan, Joyce, Kittrell, Leak of Anson, Lindsay, Long, Mann, Mitchell, Phifer, Satterthwaite, Shipp, Smith of Macon, Speed, Spruill of Bertie, Starbuck, Sutherland, Thomas of Carteret, Warren, Williamson and Wilson—45.

NOES—Messrs. Batchelor, Battle of Nash, Bunting, Caldwell, Cunningham, Dillard, Durham, Edwards, Green, Howard, Johnston, Leak of Richmond, McDowell of Burke, McDowell of Madison, McDuffie, McNeill of Cumberland, Michal, Miller, Penland, Rayner, Royster, Ruffin, Schenck, Setzer, Strong of Mecklenburg, Thompson, Thornton, Washington, Woodfin and Wooten—29.

On motion of Mr. Barnes, the Convention adjourned.

IN CONVENTION, MONDAY, May 5, 1862.

The President took the chair and called the Convention to order. Prayer by Rev. Henry Hardie, of the Presbyterian Church.

The journal of Saturday was read and approved.

Messrs. Osborne and Williams asked and obtained leave to have it stated on the journal that if they had been present on Saturday they would have voted in the negative on the motion to indefinitely postpone the ordinance to define and punish sedition.

Mr. Houston, of Union, asked leave to have it stated that he would have voted in the affirmative.

Mr. Kittrell, from the committee to whom was referred an ordinance to prevent injustice to persons who have employed substitutes for the war, made an adverse report thereon, which, on motion of Mr. Starbuck, was ordered to lie on the table.

On motion of Mr. Howard, the communication of the Governor in relation to the troops in camp, and the expense of the maintenance of the same, was referred to the Finance Committee.

Mr. Kittrell offered the following, which was agreed to, under a suspension of the rules:

*Resolved*, That His Excellency, the Governor, be requested to furnish this Convention with all the information he has from the War Department in regard to the conscription law of the Confederate Congress.

Mr. Smith, of Johnston, introduced an ordinance to limit the price of cotton yarns, which passed the first reading.

Mr. Spruill, of Bertie, introduced an ordinance to repeal an act of the last General Assembly, passed at its first session, providing for tax collectors in certain counties, so far as relates to the county of Bertie, which passed the first reading.

Mr. Schenck moved to rescind that part of a recent order of the Convention which provides for night sessions.

Mr. Gilmer moved to lay the motion on the table, on which the ayes and noes were ordered, on motion of Mr. Schenck, and resulted in the affirmative, as follows:



**AYES**—Messrs. Allison, Batchelor, Battle of Nash, Berry, Bogle, Bryson, Bunting, Calloway, Christian, Cunningham, Dick, Dickson, Dillard, Douthitt, Eller, Foster of Ashe, Gilmer, Hamlin, Hearne, Houston, Howard, Johnston, Joyce, Kittrell, Leak of Anson, McDuffie, Michal, Miller, Moseley, Myers, Osborne, Penland, Rayner, Rhodes, Setzer, Smith of Johnston, Smith of Macon, Speed, Spruill of Bertie, Strong of Mecklenburg, Thomas of Carteret, Wilson and Woodfin—43.

**NOES**—Messrs. Atkinson, Bagley, Barnes, Battle of Wake, Brown, Cannon, Durham, Edwards, Foster of Randolph, Greenlee, Headen, Holden, Jones of Caldwell, Jones of Rowan, Leak of Richmond, Lindsay, Long, Mann, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, Merritt, Phifer, Ruffin, Satterthwaite, Schenek, Shipp, Starbuck, Sutherland, Thompson, Thornton, Warren, Williams, Williamson and Wooten—35.

Mr. Osborne presented a memorial from certain citizens of Mecklenburg county, asking aid from the State in the establishment of a rifle manufactory in that county, which, on his motion, was referred to a select committee, on which the President appointed Messrs. Osborne, Moseley, Greenlee, Starbuck and McDowell of Madison.

On motion of Mr. Osborne, the Principal Secretary was authorized, if he shall find it necessary, to enable him to make out his journal, to employ one or more assistants.

The Convention then took up for consideration the ordinance relating to the legislative department of the Constitution, the pending question being on the amendment offered by Mr. Jones, of Rowan, on which the ayes and noes were ordered, on his motion.

After some discussion, the amendment was temporarily withdrawn.

Mr. Ruffin moved to amend so that persons owning three hundred acres of land, in fee, shall be entitled to a seat in the Senate, which was agreed to.

Mr. Jones, of Rowan, then renewed his amendment, and the ayes and noes being taken, resulted in the negative, as follows:

AYES—Messrs. Barnes, Brown, Bryson, Christian, Cunningham, Dick, Dillard, Donnell, Durham, Gilmer, Hamlin, Headen, Holden, Jones of Caldwell, Jones of Rowan, Joyce, Kittrell, Lindsay, McDowell of Burke, McDuffie, McNeill of Cumberland, Merritt, Miller, Penland, Rayner, Schenck, Setzer, Shipp, Smith of Macon, Spruill of Bertie, Starbuck, Thomas of Carteret, Thornton, Warren, Wilson, Woodfin and Wooten—37.

NOES—Messrs. Allison, Atkinson, Badger, Bagley, Batchelor, Battle of Nash, Battle of Wake, Berry, Bogle, Bunting, Calloway, Cannon, Dickson, Douthitt, Edwards, Eller, Foster of Ashe, Foster of Randolph, Greenlee, Hearne, Houston, Howard, Johnston, Leak of Anson, Leak of Richmond, Long, Mann, McDowell of Madison, Michal, Mitchell, Moseley, Myers, Osborne, Phifer, Rhodes, Ruffin, Satterthwaite, Smith of Johnston, Speed, Strong of Mecklenburg, Sutherland, Thompson, Williams and Williamson—44.

Mr. Starbuck moved to amend by striking out the freehold qualification and inserting a provision that a Senator shall possess one thousand dollars worth of taxable property, which was not agreed to.

Mr. Woodfin moved to add to the section as follows: "Or shall possess an interest in manufacturing in the district of one thousand dollars," which was not agreed to.

[Mr. Smith, of Macon, from the committee on Enrollments, reported as correctly enrolled, the ordinance in favor of Rev. Maurice H. Vaughan, and the same was duly ratified.]

The question then recurred on the motion of Mr. Barnes to strike out all of the section which requires a freehold qualification, on which the ayes and noes were ordered, on his motion, and resulted in the negative, as follows:

AYES—Messrs. Barnes, Brown, Bryson, Christian, Cunningham, Dick, Donnell, Headen, Holden, Jones of Rowan, Joyce, Kittrell, McDowell of Burke, McDowell of Madison, McDuffie, McNeill of Cumberland, Penland, Schenck, Shipp, Spruill of Bertie, Starbuck, Thornton, Warren, Williams and Woodfin—25.

NOES—Messrs. Allison, Atkinson, Badger, Bagley, Batchelor, Battle of Nash, Battle of Wake, Berry, Bogle, Bunting, Calloway, Cannon, Dickson, Dillard, Douthitt, Durham, Edwards, Eller, Foster of Ashe, Foster of Randolph, Greenlee, Hearne, Houston, Howard, Johnston, Jones of Caldwell, Leak of Anson, Leak of Richmond, Long, Mann, Merritt, Michal, Miller, Mitchell, Moseley, Myers, Osborne, Phifer, Rayner, Rhodes, Ruffin, Satterthwaite, Setzer, Smith of Johnston, Smith of Macon, Speed, Strong of Mecklenburg, Sutherland, Thomas of Carteret, Thompson, Williamson, Wilson and Wooten—53.

Mr. Ruffin moved to amend the 8th section by adding, “or real estate, in fee, assessed for taxation, of the value of five hundred dollars,” which was agreed to.

Mr. Howard moved to strike out “five hundred dollars,” and insert “three hundred dollars,” and the motion prevailed.

Mr. Woodfin moved to strike out all of the section requiring a freehold qualification. On this motion the ayes and noes were ordered, on motion of Mr. Smith, of Johnston, and resulted in the negative, as follows:

AYES—Messrs. Brown, Bryson, Christian, Cunningham, Dick, Durham, Holden, Jones of Rowan, Joyce, McDowell of Burke, McDowell of Madison, McDuffie, McNeill of Cumberland, Penland, Schenck, Shipp, Smith of Johnston, Starbuck, Thomas of Carteret, Thornton, Warren, Williams, Wilson and Woodfin—24.

NOES—Messrs. Allison, Atkinson, Badger, Bagley, Batchelor, Battle of Nash, Berry, Bogle, Bunting, Calloway, Cannon, Dickson, Dillard, Douthitt, Edwards, Eller, Foster of Ashe, Hearne, Houston, Howard, Johnston, Jones of Caldwell, Leak of Anson, Leak of Richmond, Long, Mann, Michal, Miller, Mitchell, Myers, Osborne, Phifer, Rayner, Rhodes, Ruffin, Satterthwaite, Setzer, Strong of Mecklenburg, Sutherland, Thompson, Williamson and Wooten—42.

Mr. Leak, of Richmond, moved to strike out “twenty-one,” and insert “twenty-five,” and it was not agreed to.

Mr. Thornton moved to reconsider the last vote, and the motion did not prevail.

Mr. Ruffin then moved to amend the 9th section by adding, "in the county or district for which he is chosen," and it was agreed to.

Sections 10, 11 and 12 were read.

Mr. Howard moved to amend that relating to ministers of the gospel holding seats in the General Assembly, by adding, "or while he holds a license to preach," which was agreed to.

Mr. Ruffin moved to insert in the 9th line of the 13th section, after the word "militia," the words, "not in actual service," which was agreed to.

The clauses from 1 to 10 of the 2nd section of the committee's report were then read, when the hour arrived, and the Convention took a recess.

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4 O'CLOCK, P. M.

Mr. Schenck offered a resolution asking the Governor whether, after the troops now in camps of instruction are transferred to the Confederate States, it will be necessary to retain on pay, the Quartermasters, Commissaries, and other State officers of a similar character, and if so, how long and for what purpose.

The resolution was adopted, under a suspension of the rules.

A communication was received from the Governor inclosing a letter from George W. Randolph, Secretary of War, in relation to the conscript act of Congress, which being read, it was ordered to lie on the table, and ten copies for each member to be printed.

On motion of Mr. Howard, the Convention took up for consideration the ordinance to amend the ordinance to raise North Carolina's quota of Confederate troops, on its second reading.

Mr. Calloway moved an additional section, as follows: That all volunteers for three years or the war that have volunteered or may volunteer before the 17th instant, and shall continue in service for the war, shall be entitled to the bounty of fifty dol-

lars heretofore paid, although they may be over thirty-five years of age, and it was agreed to.

The ordinance then passed the second reading, and was read the third time.

Mr. Howard moved the following amendment: That the Governor be, and he is hereby directed to discharge all volunteers over thirty-five years of age not yet transferred to the Confederate States that may desire a discharge, and it was agreed to.

Mr. Gilmer moved to insert after the word "Congress," where it first occurs, the words, "as volunteers," which was not agreed to.

The ordinance then passed the third reading and was ordered to be enrolled.

Mr. Badger moved to reconsider the last vote, and it was not agreed to.

The ordinance to enable the Western Railroad company to complete their road was then taken up and read the second time.

Mr. Foster, of Randolph, moved the following substitute: That that part of section 5, of an act entitled "an act to enable the Western Railroad company to extend their road from the Coalfields to the North Carolina Railroad," which requires the President to certify to the Governor that the company has purchased the iron rails, chairs and spikes, and will forthwith proceed to lay down and complete each section of ten miles, before said company is entitled to receive the sum of one hundred thousand dollars, be, and the same is hereby repealed.

Pending the consideration of this question, the hour of 6½ o'clock arrived, and the Convention took a recess until 7½ o'clock.

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7½ O'CLOCK, P. M.

The Convention met, Mr. Barnes, at the request of the President, in the chair.

On motion of Mr. Satterthwaite, the roll of members was called and the following answered to their names:

Messrs. Bagley, Barnes, Batchelor, Battle of Nash, Battle of Wake, Berry, Bryson, Bunting, Caldwell, Cannon, Christian, Cunningham, Darden, Dickson, Dillard, Donnell, Douthitt, Durham, Eller, Foster of Ashe, Foster of Randolph, Gilmer, Gorrell, Hearne, Headen, Holden, Houston, Howard, Johnston, Jones of Caldwell, Joyce, Kelly, Leak of Richmond, Long, Mann, McDuffie, McNeill of Cumberland, Michal, Miller, Myers, Penland, Rhodes, Royster, Satterthwaite, Setzer, Smith of Johnston, Smith of Macon, Speed, Starbuck, Strong of Mecklenburg, Thomas of Carteret, Thornton, Warren, Williams and Wilson—52.

There not being a quorum present,

Mr. Berry moved an adjournment, on which the ayes and noes were ordered, on motion of Mr. Speed, and resulted in the negative, as follows :

AYES—Messrs. Bagley, Barnes, Berry, Bunting, Donnell, Douthitt, Durham, Eller, Foster of Ashe, Hearne, Johnston, Kittrell, Mann, McDuffie, McNeill of Cumberland, Smith of Johnston, Thomas of Carteret, and Thornton—18.

NOES—Messrs. Batchelor, Battle of Nash, Battle of Wake, Bryson, Christian, Cunningham, Darden, Dillard, Foster of Randolph, Gilmer, Houston, Howard, Jones of Caldwell, Joyce, Michal, Myers, Penland, Rhodes, Satterthwaite, Setzer, Smith of Macon, Speed, Starbuck, Strong of Mecklenburg, and Wilson—25.

After some suggestions as to the propriety of a call of the House,

Mr. Thomas, of Carteret, moved an adjournment, on which the ayes and noes were ordered, on motion of Mr. Howard, and resulted in the negative, as follows :

AYES—Messrs. Bagley, Barnes, Berry, Bunting, Donnell, Douthitt, Eller, Johnston, Leak of Richmond, Mann, McDuffie, McNeill of Cumberland, Thomas of Carteret, Thornton and Williams—15.

NOES—Messrs. Batchelor, Battle of Nash, Battle of Wake, Bryson, Cannon, Christian, Cunningham, Darden, Dickson, Dillard, Durham, Foster of Ashe, Foster of Randolph, Gilmer,

Gorrell, Hearne, Headen, Holden, Houston, Howard, Jones of Caldwell, Joyce, Long, Michal, Miller, Myers, Penland, Rayner, Rhodes, Royster, Satterthwaite, Setzer, Smith of Johnston, Smith of Macon, Speed, Starbuck, Strong of Mecklenburg, Warren and Wilson—39.

Mr. Speed moved that the Doorkeeper be sent for absent members, and it was not agreed to.

Mr. Satterthwaite moved an adjournment; on which the ayes and noes were ordered, on motion of Mr. Cannon, and resulted in the negative, as follows:

AYES—Messrs. Bagley, Barnes, Batchelor, Battle of Nash, Berry, Bunting, Christian, Dickson, Douthitt, Durham, Eller, Foster of Randolph, Houston, Howard, Leak of Richmond, Long, McDuffie, McNeill of Cumberland, Satterthwaite, Thornton and Williams—21.

NOES—Messrs. Allison, Battle of Wake, Bryson, Calloway, Cunningham, Darden, Dillard, Donnell, Foster of Ashe, Gilmer, Gorrell, Hearne, Headen, Holden, Johnston, Jones of Caldwell, Joyce, Mann, Michal, Miller, Myers, Penland, Rayner, Rhodes, Royster, Setzer, Smith of Johnston, Smith of Macon, Speed, Starbuck, Strong of Mecklenburg, Thomas of Carteret, Warren and Wilson—35.

Mr. Michal moved that the doors be closed, and it was not agreed to.

Mr. Long moved that the Convention adjourn, on which the ayes and noes were again ordered, and resulted in the affirmative, as follows:

AYES—Messrs. Bagley, Barnes, Battle of Nash, Berry, Bunting, Christian, Darden, Dickson, Douthitt, Durham, Eller, Foster of Ashe, Foster of Randolph, Hearne, Headen, Houston, Howard, Johnston, Jones of Caldwell, Leak of Richmond, Long, McDuffie, McNeill of Cumberland, Michal, Osborne, Rayner, Satterthwaite, Smith of Macon, Thornton, Williams and Woodfin—31.

NOES—Messrs. Allison, Batchelor, Battle of Wake, Bryson, Calloway, Cannon, Cunningham, Dillard, Donnell, Gilmer, Gorrell, Holden, Joyce, Leak of Anson, Mann, Miller, Myers,

Penland, Rhodes, Royster, Setzer, Smith of Johnston, Speed, Starbuck, Strong of Mecklenburg, Thomas of Carteret, Warren and Wilson—26.

The Convention then adjourned until 9 o'clock to-morrow morning.

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IN CONVENTION, TUESDAY, May 6, 1862.

The President called the Convention to order pursuant to adjournment.

On a count, it was found there was not a quorum present.

Mr. Thompson moved a call of the House, which was agreed to.

Pending the call, several members entered, when it was found that a quorum was present, and further proceedings on the call were dispensed with.

The journal of yesterday was then read and approved.

Mr. Ruffin offered the following :

*Resolved*, That the committee of Finance inquire what further sum will probably be required for the payment of the military bounty provided by the ordinance passed yesterday, and report a proper method for raising the same, which was adopted, under a suspension of the rules.

Mr. Speed introduced an ordinance to authorize the Public Treasurer to pay Rev. F. V. Hoskins for services as chaplain of the seventh regiment, which passed its first reading.

On his motion the rules were suspended, the ordinance read the second and third times, passed, and ordered to be enrolled.

Mr. Battle, of Wake, introduced an ordinance in regard to the Board of Claims, which passed its first reading. On motion, the rules were suspended, the ordinance read the second and third times, passed, and ordered to be enrolled.

The Convention proceeded to consider the ordinance in relation to the legislative department of the Constitution.

Mr. Howard moved to strike out the parts of the 9th clause of the 2nd section, which provides that the election by the people shall be by ballot, on which the ayes and noes were ordered,



on motion of Mr. Graham, and resulted in the negative, as follows :

AYES—Mr. Howard—1.

NOES—Messrs. Allison, Bagley, Barnes, Batchelor, Battle of Edgecombe, Battle of Nash, Berry, Bogle, Brown, Bryson, Bunting, Calloway, Cannon, Cunningham, Darden, Dillard, Donnell, Douthitt, Durham, Edwards, Eller, Foster of Ashe, Foster of Randolph, Gilmer, Gorrell, Graham, Hamlin, Headen, Holmes, Houston, Johnston, Jones of Rowan, Joyce, Kittrell, Leak of Anson, Leak of Richmond, Lindsay, Long, Mann, Manning, McDowell of Burke, McDuffie, McNeill of Cumberland, Merritt, Michal, Miller, Mitchell, Moseley, Myers, Penland, Pettigrew, Rayner, Rhodes, Royster, Ruffin, Sanders, Schenck, Shipp, Smith of Johnston, Speed, Spruill of Tyrrell, Starbuck, Sutherland, Thompson, Thornton, Warren, Williams, Woodfin and Wooten—69.

Mr. Badger moved to amend the 3rd clause of the 3rd section so that it shall read, “the General Assembly shall pass no law or joint resolution having the force of law, except by the vote, on the third reading, of a majority of the whole number of members of each House.

Mr. Woodfin moved that the ordinance lie on the table, on which the ayes and noes were ordered, on motion of Mr. Gorrell, and resulted in the affirmative, as follows : ayes 41, noes 36.

[The record of the ayes and noes on this vote has been misplaced, and cannot be given.]

The Convention then took, as next in order, on the calendar, the ordinance to secure just and equal taxation. On motion of Mr. Calloway, it was ordered to lie on the table.

The ordinance to amend the Constitution in relation to Justices of the Peace, was taken up.

Mr. Howard moved to lay it on the table, on which the ayes and noes were ordered, on motion of Mr. Barnes, and resulted in the affirmative, as follows :

AYES—Messrs. Atkinson, Badger, Bagley, Batchelor, Battle of Edgecombe, Battle of Nash, Brown, Bunting, Cunningham, Darden, Dickson, Dillard, Durham, Edwards, Greenlee, Holmes,

Houston, Howard, Johnston, Jones of Rowan, Leak of Anson, Leak of Richmond, McDowell of Burke, McDowell of Madison, McDuffie, Michal, Miller, Mitchell, Moseley, Osborne, Penland, Pettigrew, Rayner, Royster, Ruffin, Schenck, Setzer, Shipp, Sutherland, Thompson, Thornton, Williams, Williamson, Woodfin and Wooten—45.

NOES—Messrs. Allison, Barnes, Berry, Bogle, Bryson, Calloway, Douthitt, Eller, Gilmer, Gorrell, Graham, Hamlin, Headen, Jones of Caldwell, Joyce, Long, Manning, McNeill of Cumberland, McNeill of Harnett, Merritt, Rhodes, Sanders, Smith of Johnston, Speed, Starbuck and Wilson—29.

The ordinance in relation to the Executive Department was now taken up.

Mr. Howard moved that it lie on the table, on which the ayes and noes were ordered, on motion of Mr. Badger, and resulted in the affirmative, as follows:

AYES—Messrs. Atkinson, Batchelor, Battle of Edgecombe, Battle of Nash, Brown, Bunting, Cunningham, Darden, Dickson, Dillard, Durham, Edwards, Foster of Ashe, Greenlee, Holmes, Houston, Howard, Johnston, Jones of Rowan, Leak of Anson, Leak of Richmond, McDowell of Burke, McDowell of Madison, McDuffie, McNeill of Cumberland, Michal, Miller, Moseley, Osborne, Penland, Pettigrew, Rayner, Royster, Schenck, Setzer, Sutherland, Thompson, Thornton, Williams, Williamson, Woodfin and Wooten—43.

NOES—Messrs. Allison, Badger, Bagley, Barnes, Battle of Wake, Berry, Bogle, Bryson, Calloway, Cannon, Christian, Douthitt, Eller, Foster of Randolph, Gilmer, Gorrell, Graham, Hamlin, Hearne, Headen, Holden, Jones of Caldwell, Joyce, Long, Manning, Merritt, Mitchell, Rhodes, Ruffin, Sanders, Shipp, Smith of Johnston, Speed, Starbuck and Wilson—36.

The ordinance to provide for an advisory council was, on motion of Mr. Leak, of Richmond, laid upon the table.

The ordinance to amend the 8th section of the Constitution was read.

Mr. Thompson moved that it lie on the table, on which the ayes and noes were ordered, on motion of Mr. Badger, and resulted in the affirmative, as follows:

AYES—Messrs. Atkinson, Batchelor, Battle of Nash, Battle of Wake, Berry, Brown, Bunting, Calloway, Cunningham, Darden, Dickson, Dillard, Donnell, Durham, Edwards, Eller, Foster of Randolph, Gorrell, Graham, Greenlee, Headen, Holmes, Houston, Howard, Johnston, Jones of Caldwell, Jones of Rowan, Joyce, Leak of Anson, Leak of Richmond, Long, McDowell of Burke, McDowell of Madison, McDuffie, McNeill of Cumberland, Michal, Miller, Mitchell, Moseley, Myers, Osborne, Penland, Pettigrew, Rayner, Rhodes, Royster, Ruffin, Satterthwaite, Schenck, Setzer, Shipp, Starbuck, Sutherland, Thompson, Thornton, Warren, Williams, Williamson, Woodfin and Wooten—60.

NOES—Messrs. Allison, Badger, Barnes, Bogle, Bryson, Christian, Douthitt, Foster of Ashe, Gilmer, Hamlin, Hearne, Holden, Kittrell, Mann, McNeill of Harnett, Sanders, Smith of Johnston, Smith of Macon, and Wilson—19.

Messrs. Warren, Manning, Battle of Wake, Christian, Donnell, Lindsay, Headen and Satterthwaite, who were absent from their seats when the vote was taken this morning, asked and obtained leave to have their votes recorded in the negative on the motion of Mr. Woodfin, that the ordinance in relation to the Legislative Department of the Constitution, lie on the table.

Whereupon, the President announced that the record of said votes, as thus allowed by the Convention, in the negative, had changed the complexion of the result, and that now the Convention would proceed again to the consideration of the ordinance in relation to the Legislative Department of the Constitution.

The question recurred on the amendment proposed by Mr. Badger, and that part of the amendment which proposed to insert the words, "or joint resolution having the force of law," was agreed to.

The question being on that part which makes a majority of the whole number necessary to the passage of all laws, the ayes and noes were ordered, on motion of Mr. Badger, and resulted in the negative, as follows :

AYES—Messrs. Badger, Batchelor, Battle of Edgecombe, Battle of Nash, Bunting, Calloway, Cunningham, Dillard, Edwards, Eller, Greenlee, Holmes, Howard, Johnston, Jones of Rowan, Leak of Richmond, Manning, McNeill of Harnett, Merritt, Miller, Mitchell, Moseley, Phifer, Rayner, Royster, Strong of Mecklenburg, Sutherland, Thompson, Thornton, Williams and Wooten—37.

NOES—Messrs. Allison, Battle of Wake, Berry, Bogle, Brown, Bryson, Christian, Darden, Dickson, Douthitt, Durham, Foster of Ashe, Foster of Randolph, Graham, Hamlin, Headen, Holden, Houston, Jones of Caldwell, Joyce, Kittrell, Lindsay, Long, Mann, McDowell of Burke, McDowell of Madison, McDuffie, McNeill of Cumberland, Michal, Myers, Osborne, Rhodes, Ruffin, Sanders, Schenck, Setzer, Shipp, Smith of Johnston, Smith of Macon, Spruill of Bertie, Starbuck, Williamson, Wilson and Woodfin—44.

[On motion of Mr. Donnell, leave of absence from and after to-day, was granted to Messrs. Atkinson, Satterthwaite and Warren.]

Mr. Badger moved to amend the ordinance by inserting after the word money, the words "or creating a debt of the State or imposing any charge on the State," on which the ayes and noes were ordered, on his motion, and resulted in the affirmative, as follows:

AYES—Messrs. Allison, Badger, Batchelor, Battle of Edgecombe, Battle of Nash, Battle of Wake, Bunting, Calloway, Cannon, Cunningham, Darden, Dickson, Dillard, Edwards, Eller, Foster of Ashe, Foster of Randolph, Gorrell, Headen, Holmes, Houston, Howard, Johnston, Jones of Rowan, Leak of Richmond, Manning, McNeill of Harnett, Merritt, Miller, Mitchell, Moseley, Pettigrew, Rayner, Rhodes, Royster, Ruffin, Sanders, Setzer, Smith of Johnston, Spruill of Tyrrell, Strong of Mecklenburg, Thompson, Thornton, Warren, Williams, Williamson and Wooten—47.

NOES—Messrs. Barnes, Berry, Bogle, Brown, Bryson, Christian, Douthitt, Durham, Gilmer, Graham, Hearne, Jones of Caldwell, Joyce, Kittrell, Long, Mann, McDuffie, McNeill of

Cumberland, Michal, Myers, Osborne, Penland, Phifer, Schenck, Shipp, Smith of Macon, Speed, Spruill of Bertie, Starbuck, Sutherland, Wilson and Woodfin—32.

Mr. Rayner moved to insert after the word "law," the words "or law for the incorporation or extension of the charter of any bank or corporation with banking privileges," on which the ayes and noes were ordered, on the motion of Mr. Rayner, and resulted in the negative, as follows:

AYES—Messrs. Allison, Badger, Batchelor, Battle of Edgecombe, Battle of Nash, Brown, Bunting, Calloway, Cannon, Cunningham, Darden, Dickson, Dillard, Foster of Ashe, Holmes, Houston, Howard, Jones of Rowan, Leak of Richmond, McNeill of Harnett, Merritt, Mitchell, Moseley, Pettigrew, Rayner, Rhodes, Royster, Ruffin, Smith of Johnston, Spruill of Tyrrell, Starbuck, Strong of Mecklenburg, Thompson, Thornton, Williams and Wooten—36.

NOES—Messrs. Barnes, Berry, Bogle, Bryson, Christian, Douthitt, Durham, Eller, Foster of Randolph, Gilmer, Gorrell, Graham, Hamlin, Hearne, Headen, Johnston, Jones of Caldwell, Joyce, Kittrell, Long, Manning, McDowell of Burke, McDowell of Madison, McDuffie, McNeill of Cumberland, Michal, Miller, Myers, Osborne, Penland, Sanders, Schenck, Shipp, Smith of Macon, Speed, Wilson and Woodfin—37.

On motion, the Convention took a recess until 4 o'clock.

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#### 4 O'CLOCK, P. M.

Mr. Myers moved to suspend the rules so as to take up the resolution heretofore introduced by him, in relation to a supply of salt; on which the ayes and noes were ordered, on motion of Mr. McDuffie, and resulted in the affirmative, as follows:

AYES—Messrs. Barnes, Batchelor, Battle of Edgecombe, Battle of Nash, Battle of Wake, Brown, Bunting, Cunningham, Darden, Dickson, Dillard, Durham, Edwards, Foster of Ashe, Greenlee, Holden, Holmes, Houston, Howard, Johnston, Leak of Anson, Leak of Richmond, McDowell of Burke, Michal,

Miller, Myers, Osborne, Penland, Phifer, Rhodes, Royster, Sanders, Schenck, Setzer, Shipp, Spruill of Tyrrell, Strong of Mecklenburg, Thompson, Thornton, Williams, Williamson and Woodfin—42.

NOES—Messrs. Badger, Bagley, Berry, Bogle, Bryson, Calloway, Cannon, Christian, Douthitt, Eller, Foster of Randolph, Gilmer, Gorrell, Graham, Hamlin, Hearne, Headen, Jones of Caldwell, Jones of Rowan, Joyce, Long, Mann, Manning, McDuffie, McNeill of Cumberland, McNeill of Harnett, Mitchell, Moseley, Rayner, Ruffin, Starbuck, Sutherland, Wilson and Wooten—34.

The unfinished business of yesterday was taken up; the question being on the substitute offered by Mr. Foster, of Randolph.

Mr. Batchelor moved that it lie on the table, on which the ayes and noes were ordered, on motion of Mr. Foster, of Randolph, and resulted in the negative, as follows:

AYES—Messrs. Batchelor, Battle of Edgecombe, Battle of Nash, Berry, Brown, Cannon, Cunningham, Darden, Dillard, Douthitt, Edwards, Graham, Greenlee, Holmes, Houston, Howard, Jones of Caldwell, Jones of Rowan, McDowell of Burke, Michal, Miller, Mitchell, Myers, Penland, Phifer, Rhodes, Royster, Sanders, Setzer, Shipp, Smith of Johnston, Strong of Mecklenburg, Thornton, Williams, Williamson and Woodfin—36.

NOES—Messrs. Badger, Bagley, Barnes, Battle of Wake, Bogle, Bryson, Bunting, Calloway, Christian, Dickson, Durham, Eller, Foster of Ashe, Foster of Randolph, Gilmer, Gorrell, Hamlin, Hearne, Headen, Holden, Johnston, Joyce, Leak of Anson, Leak of Richmond, Long, Mann, McDuffie, McNeill of Cumberland, McNeill of Harnett, Moseley, Osborne, Pettigrew, Rayner, Ruffin, Speed, Spruill of Tyrrell, Sutherland, Thomas of Carteret, Thompson, Wilson and Wooten—42.

Mr. Foster moved to amend the substitute so as to provide that the lein to the State shall embrace all the property, real and personal, belonging to both the eastern and western divisions of the road, which was agreed to.

The substitute was then adopted, and the question recurring on the passage of the ordinance, on its second reading, the

ayes and noes were ordered, on motion of Mr. Foster, of Randolph, and resulted in the affirmative, as follows:

AYES—Messrs. Badger, Barnes, Battle of Wake, Bryson, Calloway, Christian, Douthitt, Eller, Foster of Ashe, Foster of Randolph, Gilmer, Gorrell, Graham, Hamlin, Headen, Holden, Jones of Caldwell, Joyce, Kittrell, Leak of Richmond, Long, Manning, McDuffie, McNeill of Cumberland, McNeill of Harnett, Osborne, Pettigrew, Rhodes, Ruffin, Smith of Macon, Speed, Spruill of Bertie, Spruill of Tyrrell, Starbuck, Strong of Mecklenburg, Sutherland, Washington, Wilson and Wooten—39.

NOES—Messrs. Batchelor, Berry, Bunting, Cannon, Cunningham, Darden, Dillard, Greenlee, Hearne, Holmes, Houston, Howard, Johnston, Jones of Rowan, Leak of Anson, Mann, McDowell of Burke, McDowell of Madison, Michal, Miller, Mitchell, Moseley, Myers, Penland, Phifer, Rayner, Royster, Sanders, Setzer, Thompson, Thornton, Williams, Williamson and Woodfin—34.

Mr. Badger moved to suspend the rules so as to put the ordinance on the third reading to-day, on which the ayes and noes were ordered, on motion of Mr. Howard, and resulted in the affirmative, as follows:

AYES—Messrs. Badger, Barnes, Battle of Wake, Bryson, Calloway, Christian, Darden, Dickson, Douthitt, Eller, Foster of Ashe, Foster of Randolph, Gilmer, Gorrell, Graham, Hamlin, Headen, Holden, Johnston, Joyce, Kittrell, Leak of Richmond, Long, Manning, McDuffie, McNeill of Cumberland, McNeill of Harnett, Miller, Osborne, Pettigrew, Rhodes, Ruffin, Shipp, Smith of Macon, Speed, Spruill of Bertie, Spruill of Tyrrell, Starbuck, Strong of Mecklenburg, Sutherland, Washington, Wilson and Wooten—43.

NOES—Messrs. Batchelor, Battle of Edgecombe, Berry, Bunting, Cannon, Cunningham, Dillard, Durham, Greenlee, Hearne, Holmes, Houston, Howard, Jones of Caldwell, Jones of Rowan, Leak of Anson, Mann, McDowell of Burke, McDowell of Madison, Michal, Mitchell, Moseley, Myers, Penland, Phifer, Rayner, Royster, Sanders, Setzer, Thompson, Thornton, Williams, Williamson and Woodfin—34.

Mr. Badger moved to adjourn, on which the ayes and noes were ordered, on motion of Mr. Michal, and resulted in the affirmative, as follows:

AYES—Messrs. Badger, Barnes, Battle of Edgcombe, Berry, Bunting, Cannon, Dickson, Durham, Edwards, Eller, Foster of Randolph, Hamlin, Headen, Holden, Holmes, Houston, Howard, Johnston, Jones of Rowan, Leak of Richmond, Long, McDowell of Madison, McDuffie, McNeill of Cumberland, McNeill of Harnett, Moseley, Myers, Osborne, Penland, Pettigrew, Ruffin, Schenck, Shipp, Spruill of Bertie, Spruill of Tyrrell, Strong of Mecklenburg, Sutherland, Thornton, Williams, Williamson, Woodfin and Wooten—40.

NOES—Messrs. Batchelor, Bryson, Calloway, Christian, Cunningham, Darden, Dillard, Douthitt, Foster of Ashe, Gilmer, Gorrell, Graham, Greenlee, Hearne, Jones of Caldwell, Joyce, Leak of Anson, Mann, Manning, McDowell of Burke, Michal, Miller, Mitchell, Phifer, Rayner, Rhodes, Royster, Sanders, Setzer, Smith of Macon, Speed, Starbuck, Thompson, Washington and Wilson—35.

The Convention then adjourned until 9 o'clock to-morrow morning.

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### IN CONVENTION, WEDNESDAY, May 7, 1862.

The President called the Convention to order pursuant to adjournment. Prayer by Rev. Thomas E. Skinner, of the Baptist Church.

Mr. Rayner offered a resolution in regard to the Board of Claims. On motion the rules were suspended and the resolution was agreed to.

Mr. Gilmer introduced an ordinance to provide bounty for Partisan Rangers, raised and accepted by the State, which passed its first reading.

The President laid before the Convention a communication from the Board of Claims in relation to an error in the allowance of the claim of Alamance county.



Mr. Ruffin offered a resolution authorizing the Public Treasurer to pay said claim, and, the rules being suspended, the resolution was adopted.

The President announced the following committee on the resolution of Mr. Rayner, adopted this morning, viz: Messrs. Rayner, Woodfin and Gorrell.

Mr. Moseley introduced an ordinance to exempt the property of delinquent soldiers from a double tax, which passed its first reading. On his motion the rules were suspended, the ordinance passed the second and third readings and ordered to be enrolled.

Mr. Osborne introduced an ordinance to incorporate the Seponab Iron Manufacturing Company, which passed its first reading.

He moved to suspend the rules, that the ordinance might be put on its passage to-day, on which the ayes and noes were ordered, on motion of Mr. Battle, of Wake, and resulted in the affirmative, as follows:

AYES—Messrs. Bagley, Battle of Nash, Battle of Wake, Bryson, Calloway, Christian, Dickson, Douthitt, Durham, Edwards, Eller, Foster of Ashe, Foster of Randolph, Gilmer, Gorrell, Graham, Greenlee, Hamlin, Hearne, Headen, Holden, Houston, Johnston, Jones of Caldwell, Jones of Rowan, Joyce, Leak of Anson, Leak of Richmond, Long, Manning, McDuffie, McNeill of Cumberland, McNeill of Harnett, Merritt, Miller, Mitchell, Osborne, Phifer, Rhodes, Royster, Ruffin, Schenck, Setzer, Smith of Johnston, Spruill of Bertie, Spruill of Tyrrell, Starbuck, Strong of Mecklenburg, Thompson, Thornton, Wilson and Wooten—51.

NOES—Messrs. Allison, Barnes, Batchelor, Berry, Bogle, Cannon, Darden, Dillard, Mann, McDowell of Burke, Moseley, Myers, Penland, Sanders, Sutherland and Woodfin—16.

The ordinance then passed the second and third readings, and was ordered to be enrolled.

Mr. Barnes, from the committee to whom was referred the ordinance to amend the ordinance to give to certain officers and soldiers the right to vote, reported a substitute therefor, and

recommended its passage. He moved to suspend the rules, so that the ordinance might be considered now, which was agreed to.

The substitute recommended by the committee was then adopted, and the ordinance, as thus amended, passed the second reading.

It was then read the third time, passed, and ordered to be enrolled.

The committee on Enrollments reported, as correctly enrolled,

The ordinance in regard to the Board of Claims;

The ordinance in favor of Rev. F. V. Hoskins;

The resolution to pay the claim due Alamance county; and,

The ordinance to amend the ordinance giving to certain officers and soldiers the right to vote;

And the same were severally ratified in due form.

The special order, being the ordinance in relation to the legislative department of the Constitution, was now taken up.

Mr. Setzer moved to postpone the consideration of the ordinance, on which the ayes and noes were ordered, on motion of Mr. Battle, of Wake, and resulted in the affirmative, as follows:

AYES—Messrs. Bagley, Barnes, Batchelor, Battle of Edgecombe, Battle of Nash, Brown, Bunting, Caldwell, Cunningham, Darden, Dickson, Dillard, Durham, Edwards, Foster of Ashe, Greenlee, Holmes, Houston, Howard, Johnston, Jones of Rowan, Leak of Anson, Leak of Richmond, McDowell of Burke, McDowell of Madison, McDuffie, McNeill of Cumberland, McNeill of Harnett, Miller, Moseley, Myers, Penland, Phifer, Rayner, Royster, Sanders, Schenck, Setzer, Strange, Strong of Mecklenburg, Sutherland, Thompson, Thornton, Washington, Williamson, Woodfin and Wooten—47.

NOES—Messrs. Allison, Badger, Bogle, Bryson, Calloway, Cannon, Donnell, Douthitt, Foster of Randolph, Gilmer, Gorrell, Graham, Hamlin, Holden, Jones of Caldwell, Joyce, Kittrell, Lindsay, Long, Mann, Manning, Merritt, Michal, Mitchell, Pettigrew, Rhodes, Ruffin, Smith of Johnston, Smith of Macon, Speed, Spruill of Bertie, Starbuck and Wilson—34.

The ordinance to provide a supply of salt was now taken up. After some discussion of the subject, Mr. Gorrell moved to

recommit it to the committee, on which the ayes and noes were ordered, on motion of Mr. Rayner, and resulted in the negative, as follows :

AYES—Messrs. Allison, Badger, Battle of Edgecombe, Berry, Brown, Calloway, Christian, Donnell, Douthitt, Eller, Gorrell, Graham, Hamlin, Hearne, Headen, Holden, Holmes, Houston, Jones of Caldwell, Joyce, Mann, McNeill of Harnett, Meares, Mitchell, Osborne, Pettigrew, Phifer, Rhodes, Ruffin, Sanders, Smith of Macon, Spruill of Bertie, Starbuck, Strange, Washington and Wilson—36.

NOES—Messrs. Bagley, Barnes, Batchelor, Battle of Wake, Bogle, Bunting, Caldwell, Cunningham, Darden, Dickson, Dillard, Durham, Edwards, Foster of Ashe, Foster of Randolph, Gilmer, Greenlee, Howard, Johnston, Jones of Rowan, Leak of Anson, Leak of Richmond, Long, Manning, McDowell of Burke, McDowell of Madison, McDuffie, McNeill of Cumberland, Merritt, Miller, Moseley, Myers, Penland, Rayner, Royster, Schenck, Setzer, Smith of Johnston, Strong of Mecklenburg, Sutherland, Thompson, Thornton, Williams, Woodfin and Wooten—45.

Messrs. Leak of Richmond, Long and Manning, offered amendments, pending the consideration of which, the ordinance was recommitted, on motion, to the committee, with instruction to report this afternoon at 4 o'clock.

The ordinance in relation to the Legislative Department was then resumed.

Mr. Woodfin moved to amend the 2nd section of the 3rd article so as to make federal population the basis of the Senate, instead of taxation. On this question the ayes and noes were ordered, on motion of Mr. Badger, and resulted in negative, as follows :

AYES—Messrs. Bryson, Durham, Foster of Ashe, Jones of Rowan, Leak of Richmond, McDowell of Burke, McDowell of Madison, Michal, Miller, Mitchell, Penland, Schenck, Setzer, Shipp, Smith of Macon, Strong of Mecklenburg, and Woodfin—19.

**NOES**—Messrs. Allison, Badger, Bagley, Barnes, Batchelor, Battle of Edgecombe, Battle of Nash, Battle of Wake, Berry, Bogle, Brown, Bunting, Calloway, Cannon, Cunningham, Darden, Dickson, Dillard, Donnell, Douthitt, Edwards, Eller, Foster of Randolph, Gilmer, Gorrell, Graham, Greenlee, Hamlin, Hearne, Headen, Holmes, Houston, Howard, Jones of Caldwell, Joyce, Kittrell, Leak of Anson, Long, Mann, Manning, McNeill of Cumberland, Meares, Moseley, Myers, Osborne, Pettigrew, Rayner, Rhodes, Ruffin, Sanders, Speed, Spruill of Bertie, Spruill of Tyrrell, Starbuck, Strange, Sutherland, Thompson, Thornton, Washington, Williamson, Wilson and Wooten—62.

The hour having arrived, the Convention took a recess till 4 o'clock.

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4 O'CLOCK, P. M.

On motion of Howard, the committee on the report of the Board of Claims, was discharged from further consideration of the subject.

The ordinance in relation to the Cheraw and Coalfields Railroad, was taken up and read the second time.

Mr. Batchelor moved to lay it on the table, on which the ayes and noes were ordered, on motion of Mr. Cunningham, and resulted in the negative, as follows:

**AYES**—Messrs. Bagley, Batchelor, Bunting, Cunningham, Darden, Dickson, Dillard, Greenlee, Holmes, Howard, Johnston, Penland, Rhodes, Royster, Schenck, Strong of Mecklenburg, Thompson, Thornton, Williams and Williamson—20.

**NOES**—Messrs. Badger, Barnes, Battle of Nash, Battle of Wake, Berry, Bogle, Bryson, Caldwell, Calloway, Cannon, Christian, Douthitt, Durham, Eller, Foster of Ashe, Foster of Randolph, Gilmer, Gorrell, Headen, Holden, Houston, Jones of Rowan, Joyce, Kittrell, Leak of Anson, Leak of Richmond, Long, Manning, McDowell of Burke, McDuffie, McNeill of Cumberland, McNeill of Harnett, Merritt, Miller, Pettigrew,

Ruffin, Sanders, Shipp, Smith of Macon, Speed, Spruill of Tyrrell, Starbuck, Sutherland, Wilson and Wooten—45.

Mr. Christian now offered an amendment, providing that the company shall expend as much money in construction on the northern as on the southern side of the Wilmington, Charlotte and Rutherford Railroad, and do the same, *pari passu*; that they shall not cross said road more than twelve miles west of Rockingham, and, under penalty of a forfeiture of their charter, shall complete the same to the Coalfields, in Chatham county, within five years after the termination of the present war; and the amendments were agreed to.

The ordinance then passed the second reading.

Mr. Badger moved to suspend the rules and put the ordinance, now, on its third reading, on which the ayes and noes were ordered, on motion of Mr. Holmes, and resulted as follows:

AYES—Messrs. Allison, Badger, Barnes, Battle of Nash, Battle of Wake, Berry, Bogle, Caldwell, Calloway, Cannon, Christian, Dick, Douthitt, Durham, Eller, Foster of Ashe, Foster of Randolph, Gilmer, Gorrell, Graham, Headen, Holden, Houston, Jones of Caldwell, Jones of Rowan, Joyce, Kittrell, Leak of Anson, Long, Mann, Manning, McDuffie, McNeill of Cumberland, McNeill of Harnett, Merritt, Michal, Miller, Myers, Phifer, Sanders, Schenck, Shipp, Smith of Macon, Speed, Spruill of Tyrrell, Starbuck, Sutherland, Washington, Williams, Wilson and Woodfin—51.

NOES—Messrs. Bagley, Batchelor, Battle of Edgecombe, Bunting, Cunningham, Darden, Dickson, Dillard, Green, Greenlee, Holmes, Howard, Johnston, Leak of Richmond, McDowell of Burke, McDowell of Madison, Meares, Moseley, Osborne, Penland, Pettigrew, Rayner, Rhodes, Royster, Ruffin, Strange, Thompson, Thornton, Williamson and Wooten—30.

Two-thirds not voting in the affirmative, the rules were not suspended.

Mr. Manning, from the committee on the supply of salt, reported a substitute for the ordinance recommitted to the committee, which was adopted, and as thus amended, the ordinance passed the third reading, and was ordered to be enrolled.

Mr. Woodfin offered a resolution in relation to adjournment, but objection to its reception was made, and the objection was sustained by the decision of the chair.

An appeal from the decision of the chair was made, and the question being put, "Shall the decision of the chair stand as the judgment of the House?" it was decided in the affirmative, as follows:

AYES—Messrs. Allison, Bagley, Barnes, Batchelor, Battle of Edgecombe, Battle of Wake, Berry, Bogle, Bryson, Bunting, Calloway, Christian, Dick, Dickson, Douthitt, Durham, Eller, Foster of Ashe, Foster of Randolph, Gilmer, Gorrell, Graham, Headen, Holden, Houston, Jones of Caldwell, Jones of Rowan, Joyce, Kittrell, Leak of Anson, Leak of Richmond, Long, Mann, Manning, McDuffie, McNeill of Cumberland, McNeill of Harnett, Meares, Merritt, Miller, Mitchell, Myers, Osborne, Pettigrew, Phifer, Rhodes, Royster, Ruffin, Shipp, Smith of Macon, Speed, Spruill of Tyrrell, Starbuck, Strange and Wilson—55.

NOES—Messrs. Cunningham, Darden, Dillard, Greenlee, Johnston, McDowell of Burke, McDowell of Madison, Michal, Schenck, Setzer, Sutherland, Thompson, Thornton, Williams, Woodfin and Wooten—16.

And then the Convention took a recess until 7½ o'clock.

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7½ O'CLOCK, P. M.

The Convention reassembled, Mr. Rayner in the chair.

The ordinance to provide for the collection of taxes was taken up on the third reading, passed, and ordered to be enrolled.

An ordinance to enforce certain penalties on the banks of this State in case they refuse to receive the Treasury notes of the State, was, on motion, ordered to lie on the table.

The ordinance to effect a communication, by railroad, between Fayetteville and Florence, S. C., was taken up and passed the second reading.

Mr. Howard introduced an ordinance to authorize the Public Treasurer to pay certain claims allowed by the Board of Claims, which passed the first reading.

On his motion the rules were suspended, the ordinance passed the second and third readings, and was ordered to be enrolled.

The resolution in relation to a magnetic telegraph between certain places was, on motion of Mr. McDuffie, ordered to lie on the table.

The ordinance in relation to the raising of troops for local defense, was, on motion, ordered to lie on the table.

The ordinance to authorize the Miners' and Planters' Bank to establish a branch or agency east of the Blue Ridge was read the second time.

Mr. Battle, of Wake, offered to amend as follows: That hereafter all the subscription to the capital stock of said bank shall be paid in full, within twelve months from the date thereof, and it was agreed to.

Mr. Kittrell moved to amend as follows: Provided that the entire circulation of said bank shall be redeemable at said branch, which was not agreed to.

The ordinance then passed its second reading.

On motion of Mr. Setzer, the rules were suspended, and it was read the third time, passed, and ordered to be enrolled.

Mr. Jones, of Rowan, moved to reconsider the vote by which the ordinance passed the third reading, and it was not agreed to.

On motion of Mr. Setzer the Convention adjourned.

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### IN CONVENTION, THURSDAY, May 8, 1862.

The President called the Convention to order pursuant to adjournment.

The journal of yesterday was read and approved.

Mr. Graham offered a resolution instructing the committee on Military Affairs to inquire into the propriety of appropriating a sum sufficient to equip a company with Capt. Edwards' Rifle Battery, and to pay him for the limited use of his invention.

Mr. Howard introduced an ordinance explanatory of an ordinance to amend an ordinance to raise North Carolina's quota of Confederate troops, which passed its first reading. On his motion, the rules were suspended, and the ordinance read the second time.

After considerable discussion of the subject, Mr. Howard offered a substitute for the same, pending the consideration of which,

Mr. Barnes moved to refer the whole matter to a select committee, on which the ayes and noes were ordered, on motion of Mr. Badger, and resulted in affirmative, as follows:

AYES—Messrs. Allison, Badger, Barnes, Battle of Wake, Berry, Bogle, Bryson, Cannon, Dick, Durham, Eller, Foster of Ashe, Foster of Randolph, Gilmer, Gorrell, Graham, Hamlin, Headen, Holden, Houston, Jones of Caldwell, Jones of Rowan, Kittrell, Leak of Anson, Long, Mann, Manning, Merritt, Miller, Mitchell, Myers, Osborne, Plifer, Rutlin, Sanders, Shipp, Smith of Halifax, Smith of Johnston, Smith of Macon, Speed, Spruill of Bertie, Spruill of Tyrrell, Starbuck, Thomas of Carteret, Washington and Wilson—46.

NOES—Messrs. Bagley, Batchelor, Brown, Bunting, Callo-way, Cunningham, Darden, Dickson, Dillard, Edwards, Green, Greenlee, Holmes, Howard, Joyce, McDowell of Burke, McDuffie, McNeill of Cumberland, McNeill of Harnett, Michal, Moseley, Penland, Pettigrew, Rayner, Rhodes, Royster, Schenck, Setzer, Strange, Sutherland, Thompson, Thornton, Williams, Williamson, Woodfin and Wooten—36.

Mr. Smith, of Macon, from the committee on Enrollments, reported as correctly enrolled, the ordinance to authorize the Public Treasurer to pay certain claims allowed by the Board of Claims, and the same was ratified in due form.

Mr. Mitchell introduced an ordinance in relation to the bounty to solders, which passed the first reading, and was referred to the select committee raised on the motion of Mr. Barnes.

Mr. Shipp offered a resolution in relation to the claim of Haywood county, which was agreed to, under a suspension of the rules.



The President announced the following committee on the ordinances introduced by Mr. Howard and by Mr. Mitchell: Messrs. Barnes, Howard, Pettigrew, Brown and Strange.

Mr. Smith, of Macon, from the select committee on repairs to the Western Turnpike, reported the ordinance back with an amendment, and recommended its passage.

Mr. Battle, of Wake, offered a resolution calling on the Governor for official reports of the late battle at Newbern, which was agreed to under a suspension of the rules.

Mr. Woodfin asked leave to introduce a resolution relating to adjournment, and objection being made that the hour for the introduction of resolutions was passed, the question was put, "Shall he have leave?" on which the ayes and noes were ordered, on motion of Mr. Howard, and resulted in the negative, as follows:

AYES—Messrs. Batchelor, Battle of Nash, Berry, Brown, Bunting, Darden, Dickson, Dillard, Durham, Green, Holmes, Houston, Howard, Jones of Rowan, Leak of Anson, McDowell of Burke, Michal, Miller, Mitchell, Moseley, Rayner, Royster, Sanders, Schenck, Setzer, Shipp, Strange, Sutherland, Thompson, Thornton, Williams, Williamson and Woodfin—33.

NOES—Messrs. Allison, Badger, Barnes, Battle of Edgecombe, Battle of Wake, Bogle, Bryson, Calloway, Cannon, Dick, Eller, Foster of Ashe, Foster of Randolph, Gilmer, Graham, Headen, Holden, Jones of Caldwell, Joyce, Kittrell, Lindsay, Long, Mann, Manning, Meares, Merritt, Myers, Osborne, Rhodes, Smith of Halifax, Smith of Macon, Speed, Spruill of Bertie, Spruill of Tyrrell, Starbuck, Thomas of Carteret, Washington and Wilson—38.

By consent, Mr. Schenck introduced the following resolution:

*Resolved*, That when the Convention shall be dissolved, that the Principal Secretary shall have printed five hundred copies of its journal; two copies to be furnished to every former and present delegate to the Convention; two to each of the Secretaries of the Convention; two to the library of the University; one to each County and Superior Court clerk's office in the State, and one-half of the residue to be deposited in the

office of the Secretary of State, and the other half to the public Library of the State, and that the Secretary be allowed the sum of one hundred dollars for transcribing the journals.

On motion, the rules were suspended and the resolution was agreed to.

Mr. Osborne, from the select committee on the memorial from citizens of Mecklenburg county asking State aid for a Rifle Factory, reported a resolution granting the aid asked, which passed its first reading.

He moved to suspend the rules so as to give the resolution its several readings to-day, on which the ayes and noes were ordered, on motion of Mr. Merritt, and resulted in the negative, (two-thirds not voting therefor) as follows:

AYES—Messrs. Badger, Bagley, Batchelor, Battle of Edgecombe, Battle of Nash, Battle of Wake, Brown, Bryson, Bunting, Cunningham, Darden, Dickson, Dillard, Durham, Graham, Holmes, Houston, Lindsay, McDowell of Burke, McDuffie, McNeill of Cumberland, Miller, Moseley, Osborne, Pettigrew, Rhodes, Royster, Ruffin, Schenck, Shipp, Spruill of Bertie, Starbuck, Strange, Sutherland, Thompson, Williams, Williamson, Wilson, Woodfin and Wooten—40.

NOES—Messrs. Allison, Barnes, Berry, Bogle, Calloway, Cannon, Christian, Dick, Eller, Foster of Ashe, Foster of Randolph, Gilmer, Gorrell, Holden, Jones of Caldwell, Jones of Rowan, Joyce, Long, Mann, Manning, Meares, Merritt, Mitchell, Myers, Penland, Rayner, Sanders, Setzer, Smith of Halifax, Smith of Johnston, Speed, Spruill of Tyrrell, Thomas of Carteret, Thornton and Washington—35.

The ordinance relating to the Legislative Department, being the special order, was now taken up, pending the consideration of which, the hour arrived and the Convention took a recess until 4 o'clock.

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4 O'CLOCK, P. M.

The Convention proceeded to the consideration of the business on the calendar.

The resolution to exempt Justices of the Peace from militia drill, was, on motion of Mr. Woodfin, laid on the table.

The ordinance to restore the courts was now taken up.

Mr. Ruffin moved to amend by striking out the second section.

Mr. Thompson moved to lay the subject on the table, on which the ayes and noes were ordered, on motion of Mr. Manning, and resulted in the affirmative, as follows:

AYES—Messrs. Batchelor, Battle of Edgecombe, Battle of Nash, Bunting, Christian, Cunningham, Darden, Dickson, Dillard, Durham, Edwards, Eller, Gorrell, Headen, Holmes, Jones of Rowan, Leak of Anson, Mann, McDowell of Burke, McDuffie, McNeill of Cumberland, Miller, Moseley, Pettigrew, Phifer, Rhodes, Royster, Smith of Johnston, Spruill of Tyrrell, Strange, Sutherland, Thompson, Thornton, Washington, Williams, Williamson, Woodfin and Wooten—29.

NOES—Messrs. Allison, Badger, Barnes, Battle of Wake, Berry, Bryson, Calloway, Foster of Ashe, Foster of Randolph, Gilmer, Graham, Green, Jones of Caldwell, Joyce, Kittrell, Long, Manning, Merritt, Michal, Mitchell, Osborne, Ruffin, Sanders, Schenck, Shipp, Smith of Halifax, Smith of Macon, Speed, Starbuck, Thomas of Carteret, and Wilson—31.

The resolution in regard to the valuation of slaves was taken up, and, on motion of Mr. Batchelor, ordered to lie on the table.

The resolution to increase the salaries of the Treasurer, Secretary of State and Comptroller, was taken up and read the second time and passed.

On motion the rules were suspended, the resolution read the third time, passed, and ordered to be enrolled.

On the third reading the ayes and noes were ordered, on motion of Mr. Smith, of Macon, as follows:

AYES—Messrs. Badger, Barnes, Batchelor, Battle of Edgecombe, Battle of Nash, Battle of Wake, Bryson, Bunting, Caldwell, Calloway, Christian, Cunningham, Darden, Dickson, Dillard, Durham, Edwards, Eller, Foster of Randolph, Gilmer, Gorrell, Holden, Holmes, Howard, Jones of Rowan, Leak of Richmond, Long, Manning, McDowell of Burke, McDuffie, McNeill of Cumberland, Merritt, Miller, Moseley, Osborne,

Phifer, Rhodes, Royster, Ruffin, Schenck, Smith of Halifax, Speed, Strange, Sutherland, Thomas of Carteret, Thompson, Thornton, Washington, Williamson, Woodfin and Wooten—51.

NOES—Messrs. Allison, Berry, Bogle, Cannon, Foster of Ashe, Graham, Headen, Jones of Caldwell, Joyce, Mann, Mitchell, Myers, Pettigrew, Sanders, Setzer, Shipp, Smith of Johnston, Smith of Macon, Starbuck, Williams and Wilson—21.

The ordinance to provide for the election of Governor and members of the General Assembly, was, on motion of Mr. Graham, ordered to lie on the table.

The resolution in favor of the Western North Carolina Railroad was read the second time.

On motion of Mr. Badger, it was amended as follows: "As the said issues may become due according to the directions of said act."

The question recurring on the passage of the resolution, the ayes and noes were ordered, on motion of Mr. Starbuck, and resulted in the negative, as follows:

AYES—Messrs. Badger, Brown, Bryson, Caldwell, Christian, Edwards, Foster of Randolph, Gilmer, Headen, Holden, Joyce, Manning, McDowell of Burke, McDuffie, Meares, Michal, Miller, Osborne, Ruffin, Setzer, Shipp, Smith of Macon, Sutherland and Woodfin—24.

NOES—Messrs. Allison, Bagley, Barnes, Batchelor, Battle of Edgecombe, Battle of Nash, Battle of Wake, Berry, Bogle, Bunting, Calloway, Cannon, Cunningham, Darden, Dickson, Dillard, Durham, Eller, Foster of Ashe, Gorrell, Graham, Green, Hamlin, Holmes, Jones of Caldwell, Jones of Rowan, Leak of Anson, Long, Mann, McNeill of Harnett, Mitchell, Myers, Pettigrew, Phifer, Rhodes, Royster, Sanders, Smith of Halifax, Smith of Johnston, Speed, Spruill of Tyrrell, Starbuck, Thomas of Carteret, Thompson, Thornton, Washington, Williams, Williamson, Wilson and Wooten—50.

On motion of Mr. Badger, the Convention took up the ordinance to enlarge the powers of the Commissioners of the city of Raleigh.

The ordinance passed the second reading, and, on motion, the rules were suspended, and it was read the third time.

Mr. Graham moved to amend by adding to the second section the proviso, "that any party dissatisfied with such judgment shall be allowed an appeal to the next Superior Court of the county," on which the ayes and noes were ordered, and resulted in the affirmative, as follows:

AYES—Messrs. Allison, Bagley, Barnes, Batchelor, Battle of Wake, Berry, Bogle, Brown, Bryson, Caldwell, Cannon, Christian, Cunningham, Dickson, Durham, Edwards, Eller, Foster of Ashe, Foster of Randolph, Gilmer, Gorrell, Graham, Hamlin, Headen, Holden, Jones of Caldwell, Jones of Rowan, Joyce, Leak of Anson, Long, Manning, McDuffie, McNeill of Harnett, Mitchell, Myers, Phifer, Ruffin, Sanders, Smith of Halifax, Smith of Johnston, Speed, Starbuck, Thomas of Carteret, Washington, Williamson and Wilson—46.

NOES—Messrs. Badger, Battle of Edgecombe, Battle of Nash, Bunting, Calloway, Darden, Dillard, Green, Holmes, Houston, McDowell of Burke, Meares, Michal, Miller, Osborne, Pettigrew, Rhodes, Royster, Schenck, Setzer, Spruill of Tyrrell, Strange, Sutherland, Thompson, Thornton, Williams, Woodfin and Wooten—28.

Mr. Schenck moved to amend the second section by adding the words, "and shall give ample surety for the penalty and costs," which was agreed to.

On motion of Mr. Battle, of Wake, the ordinance was so amended as to extend its provisions to the several cities and towns of the State.

Mr. McDuffie moved to amend so that the ordinance shall only apply to retailers, and it was not agreed to.

Mr. Manning moved to amend by striking out "Superior" and inserting "County," before the word "Court," and it was agreed to.

Mr. Sanders moved to insert "and Courts of Pleas and Quarter Sessions," after the word "Commissioners," and it was not agreed to.

The ordinance then passed the third reading, and its title amended to correspond with its provisions, and it was ordered to be enrolled.

Mr. Gilmer moved to suspend the rules and take up the ordinance to complete the improvements of the Cape Fear and Deep River.

Mr. Shipp moved an adjournment, on which the ayes and noes were ordered, on motion of Mr. Gilmer, and resulted in the negative, as follows :

AYES—Messrs. Badger, Bagley, Batchelor, Battle of Edgecombe, Berry, Bogle, Bunting, Cannon, Durham, Green, Howard, Mann, Meares, Michal, Moseley, Osborne, Rhodes, Royster, Schenck, Setzer, Shipp, Smith of Halifax, Smith of Johnston, Spruill of Tyrrell, Strange, Sutherland, Thompson, Thornton, Williams, Woodfin and Wooten—32.

NOES—Messrs. Allison, Barnes, Battle of Nash, Battle of Wake, Bryson, Caldwell, Calloway, Christian, Cunningham, Darden, Dick, Dillard, Eller, Foster of Ashe, Gilmer, Gorrell, Graham, Hamlin, Headen, Holden, Holmes, Jones of Caldwell, Jones of Rowan, Joyce, Leak of Anson, Long, Manning, McDowell of Madison, McDuffie, McNeill of Cumberland, McNeill of Harnett, Miller, Mitchell, Penland, Pettigrew, Phifer, Sanders, Smith of Macon, Speed, Thomas of Carteret, and Washington—42.

Mr. Gorrell moved to adjourn until until 7½ o'clock, which was not agreed to.

Mr. Speed moved an adjournment, on which the ayes and noes were ordered, on motion of Mr. Christian, and resulted in the affirmative, as follows :

AYES—Messrs. Bagley, Barnes, Batchelor, Battle of Edgecombe, Battle of Nash, Berry, Bogle, Bunting, Cannon, Dillard, Durham, Foster of Randolph, Graham, Green, Holmes, Houston, Howard, Jones of Caldwell, Long, Manning, McDowell of Madison, Michal, Moseley, Phifer, Rhodes, Royster, Ruffin, Schenck, Setzer, Shipp, Smith of Halifax, Speed, Spruill of Bertie, Strange, Sutherland, Thompson, Thornton, Williams, Woodfin and Wooten—40.

NOES—Messrs. Allison, Badger, Battle of Wake, Bryson, Calloway, Christian, Cunningham, Darden, Dick, Dickson, Eller, Foster of Ashe, Gilmer, Gorrell, Hamlin, Headen, Holden, Joyce, Leak of Ashe, McDuffie, McNeill of Cumberland, McNeill of Harnett, Miller, Mitchell, Penland, Pettigrew, Sanders, Smith of Johnston, Smith of Macon, Starbuck, Thomas of Carteret, Washington and Wilson—33.

So the Convention adjourned until 9 o'clock to-morrow morning.

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IN CONVENTION, FRIDAY, May 2, 1862.

The President took the chair and called the Convention to order. Prayer by Rev. J. M. Atkinson, of the Presbyterian Church.

The journal of yesterday was read and approved.

On motion of Mr. Speed, leave of absence from and after to-day, was granted to Mr. Calloway.

Mr. Caldwell presented a petition from sundry citizens of Rowan county on the subjects of speculation and extortion, which, on motion of Mr. Rayner, was ordered to lie on the table.

Mr. Battle, of Wake, from the committee on Enrollments, reported as correctly enrolled,

The ordinance to enlarge the powers of the corporate cities and towns of the State ;

The ordinance to increase the salaries of certain State officers ;

An ordinance for the collection of taxes, and for other purposes ;

The ordinance to allow the Miners' and Planters' Bank to establish a branch or agency east of the Blue Ridge ;

The ordinance to incorporate the Seponab Iron company ; and

The resolution for printing the journals of the Convention ;

And the same were severally ratified in due form.

Mr. Bagley, from the committee to inquire concerning the burning of the Jennie Hunter, reported an ordinance to pay the owners of the cargo destroyed, which lies over one day.

Mr. Michal offered a resolution declaring that the State ought to pay all claims of counties for money expended for volunteers, which lies over one day under the rules.

Mr. Howard moved to suspend the rules so that the resolution may be now considered, and it was not agreed to.

Mr. Calloway introduced an ordinance to continue in service men under eighteen years of age, which passed the first reading, and was referred to the select committee raised on the same subject yesterday.

Mr. Lindsay introduced an ordinance to pay the officers and privates of the Currituck Guards, which passed its first reading, and was, on motion, referred to a select committee, on which the President appointed Messrs. Lindsay, Batchelor, Jones of Caldwell, Spruill of Tyrrell, and Bagley.

Mr. Starbuck introduced an ordinance to modify the provisions of sec. 13, chap. 111, of the Revised Code, so as to authorize the incorporated cities and towns of the State to tax property in slaves, which passed its first reading.

Mr. Rayner presented a communication from the Board of Claims in reply to a resolution of the Convention, which, on motion, was ordered to lie on the table.

On motion of Mr. Ruffin, leave of absence from and after to-day was granted to Mr. Williamson.

Mr. McDowell, of Madison, offered a resolution in relation to the claim of Madison county, which lies over one day.

Mr. Shipp introduced an ordinance in relation to the Greenville and French Broad Railroad, which passed its first reading.

The ordinance in relation to the Legislative Department of the Constitution, being the special order of the day, was now taken up.

Mr. Brown moved to lay the ordinance on the table, on which the ayes and noes were ordered, on motion of Mr. Gorrell, and resulted in the negative, as follows:

AYES—Messrs. Bagley, Batchelor, Battle of Edgecombe, Battle of Nash, Brown, Bunting, Caldwell, Cunningham, Darden, Dickson, Dillard, Durham, Edwards, Holmes, Houston, Howard, Jones of Rowan, Leak of Anson, McDowell of Burke,



McDowell of Madison, Michal, Moseley, Penland, Rayner, Royster, Schenck, Setzer, Smith of Halifax, Strange, Sutherland, Thompson, Thornton, Washington, Williams, Williamson, Woodfin and Wooten—39.

NOES—Messrs. Allison, Battle of Wake, Berry, Bogle, Bryson, Calloway, Cannon, Christian, Dick, Eller, Foster of Ashe, Foster of Randolph, Gorrell, Graham, Hamlin, Headen, Holden, Jones of Caldwell, Joyce, Lindsay, Long, Mann, Manning, McNeill of Cumberland, McNeill of Harnett, Meares, Miller, Mitchell, Myers, Pettigrew, Phifer, Rhodes, Ruffin, Sanders, Shipp, Smith of Johnston, Smith of Macon, Speed, Starbuck, Thomas of Carteret, and Wilson—41.

Mr. Battle, of Wake, moved to amend by adding to clause 3, of section 3, as follows: "Or two-thirds of the members of each House present."

Mr. Michal moved to amend the amendment by striking out "two-thirds," and inserting "seven-eighths," which was not agreed to.

The question recurred on the amendment proposed by Mr. Battle, of Wake, on which the ayes and noes were ordered, on his motion, and resulted in the affirmative, as follows:

AYES—Messrs. Allison, Battle of Edgecombe, Battle of Wake, Bogle, Brown, Bryson, Caldwell, Calloway, Dick, Durham, Eller, Foster of Ashe, Foster of Randolph, Gilmer, Gorrell, Graham, Green, Hamlin, Headen, Holden, Houston, Jones of Rowan, Joyce, Lindsay, Long, Mann, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, McNeill of Harnett, Meares, Miller, Mitchell, Myers, Osborne, Penland, Pettigrew, Phifer, Rhodes, Royster, Ruffin, Schenck, Shipp, Smith of Johnston, Smith of Macon, Spruill of Bertie, Spruill of Tyrrell, Starbuck, Strange, Sutherland, Thomas of Carteret, Williamson, Wilson and Woodfin—54.

NOES—Messrs. Bagley, Batchelor, Battle of Nash, Berry, Bunting, Cannon, Christian, Cunningham, Darden, Dickson, Holmes, Jones of Caldwell, Leak of Anson, Manning, McDuffie, Michal, Moseley, Rayner, Sanders, Setzer, Smith of Halifax, Speed, Thompson, Thornton, Washington, Williams and Wooten—29.

Mr. Thompson moved to insert after the word "dollars," the words "or revenue law imposing additional taxes," which was not agreed to.

Mr. Calloway offered an additional section, as follows: The legislature shall not pass any act or resolution taxing the property or estate of any person or class of persons and exempt from taxation the same kind of property or estate in the hands of others, nor at a less rate of taxation, except the property or estate of literary, religious or charitable institutions, or public property.

Pending the consideration of the amendment,

Mr. Badger moved to postpone the consideration of the subject until the next session of the Convention, on which question the ayes and noes were ordered, on motion of Mr. Speed, and resulted in the negative, as follows:

AYES—Messrs. Bagley, Barnes, Batchelor, Battle of Nash, Brown, Bunting, Caldwell, Cannon, Cunningham, Darden, Dickson, Durham, Edwards, Holmes, Howard, Jones of Rowan, Leak of Anson, McDowell of Burke, McDowell of Madison, McDuffie, McNeill of Cumberland, Michal, Moseley, Pettigrew, Rayner, Royster, Smith of Halifax, Strange, Sutherland, Thompson, Thornton, Williams and Wooten—33.

NOES—Messrs. Allison, Battle of Edgecombe, Battle of Wake, Berry, Bryson, Calloway, Christian, Dick, Eller, Foster of Ashe, Foster of Randolph, Gilmer, Gorrell, Graham, Hamlin, Holden, Jones of Caldwell, Joyce, Lindsay, Long, Manning, McNeill of Harnett, Meares, Miller, Mitchell, Osborne, Penland, Phiifer, Rhodes, Ruffin, Sanders, Schenck, Setzer, Shipp, Smith of Johnston, Smith of Macon, Speed, Spruill of Bertie, Starbuck, Thomas of Carteret, Washington, Wilson and Woodfin—44.

The question then recurred on the amendment of Mr. Calloway, on which the ayes and noes were ordered, on his motion, and resulted in the negative, as follows:

AYES—Messrs. Bryson, Calloway, Eller, Foster of Ashe, Hamlin, Jones of Rowan, Penland, Pettigrew, Rayner, Setzer and Williams—11.

**NOES**—Messrs. Allison, Badger, Barnes, Batchelor, Battle of Edgecombe, Battle of Nash, Battle of Wake, Berry, Brown, Bunting, Caldwell, Cannon, Christian, Cunningham, Darden, Dickson, Durham, Gorrell, Graham, Green, Holden, Holmes, Houston, Jones of Caldwell, Joyce, Leak of Anson, Lindsay, Long, Mann, Manning, McDowell of Burke, McDowell of Madison, McDuffie, McNeill of Cumberland, McNeill of Harnett, Meares, Michal, Miller, Moseley, Osborne, Phifer, Rhodes, Royster, Ruffin, Sanders, Schenck, Shipp, Smith of Halifax, Smith of Johnston, Speed, Starbuck, Strange, Sutherland, Thomas of Carteret, Thompson, Thornton, Washington, Williamson, Wilson, Woodfin and Wooten—61.

Mr. Badger moved to amend clause 4, by inserting after the word "America," where it last occurs, the words "or in any other war," on which question the ayes and noes were ordered, on motion of Mr. Michal, and resulted in the affirmative, as follows:

**AYES**—Messrs. Badger, Barnes, Battle of Edgecombe, Battle of Nash, Bunting, Caldwell, Cannon, Cunningham, Darden, Dickson, Durham, Edwards, Holmes, Howard, Jones of Rowan, McDowell of Burke, McDowell of Madison, McDuffie, McNeill of Cumberland, McNeill of Harnett, Michal, Miller, Moseley, Osborne, Pettigrew, Phifer, Rhodes, Royster, Ruffin, Setzer, Smith of Halifax, Smith of Macon, Strange, Sutherland, Thomas of Carteret, Thompson, Thornton, Washington, Williams, Williamson, Woodfin and Wooten—42.

**NOES**—Messrs. Allison, Bagley, Batchelor, Battle of Wake, Berry, Bogle, Bryson, Christian, Dick, Eller, Foster of Ashe, Gilmer, Gorrell, Graham, Green, Hamlin, Headen, Holden, Houston, Jones of Caldwell, Joyce, Leak of Anson, Long, Mann, Manning, Mitchell, Penland, Rayner, Sanders, Smith of Johnston, Speed, Starbuck and Wilson—33.

Mr. Osborne moved to strike out the section, but before the question was put,

Mr. Ruffin moved to amend the section by inserting after the word "money," in the 5th line, the words, "over and above the amount of stocks that are or may be held as a sinking fund."

Pending the consideration of this amendment the hour arrived, and the Convention took a recess until 4 o'clock.

4 O'CLOCK, P. M.

The President laid before the Convention a communication from the Governor, transmitting the report of Gen. Branch, of the battle of Newbern.

The report and communication were read, and, on motion, ordered to lie on the table.

Mr. Lindsay, from the committee on the subject, reported back the ordinance to pay the officers and soldiers of the Currituck Guards, and recommended its passage. The report lies over one day.

Mr. Schenk offered a resolution to pay Robert Towles the sum of twenty dollars for services as Page during the present session, which, by general consent, passed the several readings, and was ordered to be enrolled.

Mr. Houston, by consent, introduced an ordinance to legalize the laying of taxes in Union county, which, under a suspension of the rules, passed the several readings, and was ordered to be enrolled.

Mr. Barnes, from the committee to whom the subject was referred, reported a substitute for the ordinance in relation to North Carolina's quota of Confederate troops, which was ordered to be printed.

Mr. Christian moved to suspend the rules in order to take up the ordinance in relation to the Cheraw and Coalfields Railroad, on which the ayes and noes were ordered, on motion of Mr. Holmes, and resulted in the affirmative, as follows:

AYES—Messrs. Allison, Badger, Barnes, Batchelor, Battle of Wake, Bogle, Caldwell, Cannon, Christian, Dick, Foster of Ashe, Foster of Randolph, Gilmer, Gorrell, Graham, Green, Headen, Holden, Houston, Joyce, Leak of Anson, Lindsay, Long, Manning, McDuffie, McNeill of Cumberland, McNeill of Harnett, Miller, Mitchell, Myers, Pettigrew, Royster, Ruffin,

Sanders, Shipp, Smith of Halifax, Smith of Macon, Speed, Spruill of Tyrrell, Starbuck, Sutherland, Thomas of Carteret, Thornton, Washington, Williamson, Wilson and Wooten—49.

NOES—Messrs. Bagley, Battle of Edgecombe, Berry, Bryson, Bunting, Cunningham, Dickson, Durham, Eller, Holmes, Jones of Caldwell, Jones of Rowan, Mann, McDowell of Burke, McDowell of Madison, Meares, Michal, Moseley, Penland, Rayner, Rhodes, Schenck and Thompson—23.

The ordinance was then read the third time.

Mr. Schenck moved to amend by inserting after the word "cross," the words, "or connect with," which was agreed to.

The question recurred on the final passage of the ordinance, as amended, on which the ayes and noes were ordered, on motion of Mr. Meares, and resulted in the affirmative, as follows:

AYES—Messrs. Allison, Badger, Barnes, Battle of Wake, Berry, Bogle, Bryson, Caldwell, Christian, Dick, Durham, Eller, Foster of Ashe, Foster of Randolph, Gilmer, Gorrell, Graham, Green, Headen, Holden, Houston, Jones of Caldwell, Joyce, Kittrell, Leak of Anson, Long, Mann, Manning, McDowell of Burke, McDowell of Madison, McDuffie, McNeill of Cumberland, McNeill of Harnett, Mitchell, Myers, Royster, Ruffin, Sanders, Shipp, Smith of Halifax, Smith of Macon, Speed, Spruill of Tyrrell, Starbuck, Thomas of Carteret, Washington, Wilson and Woodfin—48.

NOES—Messrs. Bagley, Batchelor, Battle of Edgecombe, Bunting, Cunningham, Dickson, Holmes, Jones of Rowan, Meares, Miller, Moseley, Pettigrew, Rhodes, Schenck, Sutherland, Thompson, Thornton, Williamson and Wooten—19.

Mr. Badger moved to suspend the rules so that the ordinance for the completion of the Western Railroad may be taken up, and it was agreed to.

The ordinance was read the third time, and the question being on its final passage, the ayes and noes were ordered, on motion of Mr. Setzer, and resulted in the affirmative, as follows:

AYES—Messrs. Allison, Badger, Bagley, Barnes, Batchelor, Battle of Wake, Bryson, Christian, Dick, Durham, Eller, Fos-

ter of Ashe, Foster of Randolph, Graham, Green, Headen, Holden, Jones of Caldwell, Joyce, Kittrell, Leak of Anson, Long, Manning, McDowell of Burke, McDowell of Madison, McDuffie, McNeill of Cumberland, McNeill of Harnett, Merritt, Miller, Myers, Osborne, Penland, Pettigrew, Ruffin, Shipp, Smith of Macon, Speed, Spruill of Tyrrell, Starbuck, Sutherland, Thomas of Carteret, Washington, Wilson, Woodfin and Wooten—46.

NOES—Messrs. Battle of Edgecombe, Berry, Bunting, Cunningham, Holmes, Houston, Jones of Rowan, Meares, Mebane, Michal, Mitchell, Moseley, Phifer, Rayner, Royster, Sanders, Setzer, Thompson and Thornton—19.

The ordinance to authorize the Jackson and Dalton Railroad Company to connect with the railroads in this State, was, on motion, postponed indefinitely.

Mr. Gilmer moved to suspend the rules so as to take up the ordinance to complete the Cape Fear and Deep River Improvement, on which the ayes and noes were ordered, on motion of Mr. Berry, and resulted in the affirmative, as follows:

AYES—Messrs. Allison, Badger, Barnes, Batchelor, Bryson, Bunting, Christian, Dick, Eller, Foster of Randolph, Gilmer, Gorrell, Graham, Headen, Holden, Houston, Jones of Caldwell, Joyce, Kittrell, Leak of Anson, Lindsay, Long, Mann, Manning, McDuffie, McNeill of Cumberland, McNeill of Harnett, Meares, Merritt, Mitchell, Moseley, Myers, Osborne, Pettigrew, Rhodes, Shipp, Smith of Macon, Speed, Spruill of Tyrrell, Starbuck, Sutherland, Thomas of Carteret, Thornton, Washington, Wilson, Woodfin and Wooten—46.

NOES—Messrs. Bagley, Battle of Wake, Berry, Cunningham, Dickson, Durham, Foster of Ashe, Jones of Rowan, McDowell of Burke, McDowell of Madison, Mebane, Michal, Rayner, Royster, Ruffin, Sanders, Schenck, Setzer, Smith of Halifax, and Thompson—20.

Mr. Badger moved an adjournment, on which the ayes and noes were ordered, on motion of Mr. Meares, and resulted in the affirmative, as follows:

AYES—Messrs. Badger, Batchelor, Battle of Edgecombe, Berry, Buhting, Caldwell, Dickson, Durham, Eller, Graham, Green, Holmes, Houston, Jones of Caldwell, Jones of Rowan, Mann, McDowell of Burke, McDowell of Madison, Mebane, Michal, Mitchell, Moseley, Phifer, Rayner, Rhodes, Royster, Ruffin, Schenck, Setzer, Shipp, Smith of Halifax, Speed, Sutherland, Thomas of Carteret, Thompson, Thornton, Woodfin and Wooten—38.

NOES—Messrs. Allison, Bagley, Battle of Wake, Bryson, Christian, Cunningham, Dick, Foster of Ashe, Foster of Randolph, Gilmer, Gorrell, Headen, Joyce, Kittrell, Long, Manning, McDuffie, McNeill of Cumberland, McNeill of Harnett, Meares, Merritt, Miller, Penland, Pettigrew, Sanders, Smith of Macon, Starbuck, Washington and Wilson—29.

The Convention then adjourned to 9 o'clock to-morrow morning.

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#### IN CONVENTION, SATURDAY, May 10, 1862.

The Convention met, the President in the chair.

The journal of yesterday was read and approved.

The President laid before the Convention a communication from the Governor in response to a resolution on the subject of retaining Commissaries, Quartermasters, &c., after the transfer of troops to the Confederate government; also, a message on the subject of speculation and extortion, which were severally read, and, on motion of Mr. Rayner, ordered to lie on the table, and the first mentioned ordered to be printed.

Mr. Strange moved to suspend the rules so as to take up an ordinance heretofore reported by him in relation to the price of grain, &c., and it was not agreed to.

Mr. Long, from the committee on that subject, reported an ordinance in relation to the salaries of clerks in the military department, which passed its first reading.

Mr. Speed introduced an ordinance directing the Secretary of the Convention to advertise for proposals for the publication of the journal of the Convention, which passed its first reading.

Mr. Green introduced an ordinance to allow persons driven from their homes by the enemy to vote for Governor of the State, which passed its first reading.

Mr. Graham introduced an ordinance in relation to electors for the Senate, which passed its first reading.

On motion, the rules were suspended and the ordinance read the second time and passed the second reading.

It was then read the third time, when Mr. Sanders moved to amend by inserting after the word "months," the words "and of the district in which he proposes to vote for six months."

Mr. Rayner moved to strike out "six" and insert "three," which was not agreed to.

The question recurred on the amendment of Mr. Sanders, on which the ayes and noes were ordered, at his request, and resulted in the affirmative, as follows:

AYES—Messrs. Allison, Batchelor, Battle of Edgecombe, Bogle, Cannon, Christian, Dick, Dickson, Eller, Foster of Ashe, Foster of Randolph, Gilmer, Gorrell, Graham, Green, Hamlin, Headen, Houston, Jones of Caldwell, Jones of Rowan, Leak of Anson, Lindsay, Long, Mann, Manning, Meares, Michal, Miller, Penland, Pettigrew, Rhodes, Sanders, Setzer, Shipp, Smith of Halifax, Smith of Macon, Speed, Spruill of Bertie, Starbuck, Thomas of Carteret, Washington, Wilson and Woodfin—43.

NOES—Messrs. Bagley, Barnes, Battle of Wake, Berry, Bryson, Bunting, Caldwell, Durham, Edwards, Holmes, Joyce, McDowell of Burke, McDowell of Madison, McNeill of Harnett, Mebane, Mitchell, Moseley, Osborne, Rayner, Royster, Ruffin, Strange, Thompson, Thornton and Wooten—24.

The ordinance then passed its third reading and was ordered to be enrolled.

Mr. Graham also introduced an ordinance declaring what ordinances of this Convention shall have permanent operation, which passed the first reading.

Also, an ordinance to provide for a call of a Convention to revise and amend the Constitution of the State, which passed its first reading.



Also, a resolution in relation to the printing of the ordinances and resolutions of the Convention, which passed its first reading.

Mr. Rayner introduced an ordinance for the relief of such persons as may suffer from the destruction of the records of Hertford county, occasioned by the burning of the Court House and Clerk's office by the enemy, which passed the several readings, under a suspension of the rules, and was ordered to be enrolled.

Mr. Woodfin introduced an ordinance to extend the time for the collection of taxes and the settlement with the Public Treasurer, which passed its first reading.

Mr. Battle, of Wake, offered the following:

*Resolved*, That a committee of three be raised to consolidate the various provisions of the Constitution into one instrument, including the Constitution of 1776, the amendments of 1835, the free suffrage act of 1857, and the amendments adopted by this Convention, omitting all provisions which have been repealed, and report the same to this Convention.

He moved to suspend the rules so that the resolution may be now considered, on which the ayes and noes were ordered, on his motion, and resulted in the affirmative, as follows:

AYES—Messrs. Allison, Bagley, Barnes, Batchelor, Battle of Edgecombe, Battle of Wake, Berry, Bogle, Bunting, Cannon, Christian, Dick, Dickson, Durham, Eller, Foster of Randolph, Gilmer, Gorrell, Graham, Green, Hamlin, Headen, Holden, Holmes, Houston, Jones of Caldwell, Jones of Rowan, Joyce, Kittrell, Leak of Anson, Lindsay, Long, Manning, McNeill of Cumberland, McNeill of Harnett, Meares, Mebane, Michal, Miller, Mitchell, Osborne, Pettigrew, Rhodes, Royster, Sanders, Shipp, Speed, Spruill of Bertie, Starbuck, Strange, Sutherland, Thompson, Washington, Wilson and Wooten—55.

NOES—Messrs. Bryson, Caldwell, Edwards, McDowell of Burke, McDowell of Madison, McDuffie, Moseley, Penland, Smith of Macon, Thornton and Woodfin—11.

Mr. Speed moved to strike out all after the word "resolved," and insert the provision "that the resolution passed by the

Convention to adjourn on Tuesday next be, and the same is hereby rescinded, and that the Convention will adjourn on Saturday the 17th instant, at 2 o'clock, P. M., subject to the call of the President, and other regulations heretofore passed for the re-assembling of the Convention.

Mr. Manning moved that the subject lie on the table, on which the ayes and noes were ordered, on motion of Mr. Badger, and resulted in the affirmative, as follows:

AYES—Messrs. Badger, Barnes, Batchelor, Battle of Edgecombe, Bunting, Caldwell, Cannon, Dickson, Durham, Edwards, Green, Holmes, Houston, Jones of Rowan, Leak of Anson, Mann, Manning, McDowell of Burke, McDowell of Madison, McDuffie, McNeill of Cumberland, McNeill of Harnett, Michal, Miller, Moseley, Penland, Pettigrew, Rayner, Royster, Setzer, Smith of Halifax, Strange, Sutherland, Thompson, Thornton, Woodfin and Wooten—37.

NOES—Messrs. Allison, Battle of Wake, Berry, Bogle, Bryson, Christian, Dick, Eller, Foster of Randolph, Gilmer, Gorrell, Graham, Hamlin, Headen, Jones of Caldwell, Joyce, Lindsay, Long, Meares, Mebane, Mitchell, Myers, Osborne, Rhodes, Ruffin, Sanders, Shipp, Smith of Macon, Speed, Spruill of Bertie, Starbuck, Thomas of Carteret, Washington and Wilson—35.

The President laid before the Convention a communication from the Public Treasurer, which was read, and, on motion of Mr. Graham, was referred to the committee of Finance.

On motion of Mr. Barnes, the rules were suspended, and the Convention proceeded to the consideration of the ordinance reported by him yesterday, relating to the bounty of volunteers.

Mr. Rayner moved to amend by inserting after the word "age," in the 4th line, the words, "who have received their bounty of fifty dollars, and," which was not agreed to.

Mr. Starbuck moved to amend by striking out all between the word "shall," in the 24th line, and the word "subject," in the 29th line, and insert "decline to receive their bounty, or who, having received it, shall return the same, shall be discharged; and that all such volunteers as shall hereafter receive

their bounty, and those having received it, who shall decline or fail to return the same, shall have their names enrolled by the proper State authorities, and be discharged.

The amendment was not agreed to.

Mr. Rayner moved to insert after the word "Congress," the words, "shall be discharged on returning the bounty which they have received," and it was not agreed to.

Mr. Graham moved to amend by striking out the proviso at the end of the first section, on which the ayes and noes were ordered, on motion of Mr. Rayner, and resulted in the affirmative, as follows :

AYES—Messrs. Allison, Badger, Bagley, Barnes, Batchelor, Battle of Edgecombe, Battle of Wake, Berry, Bogle, Bryson, Bunting, Cannon, Christian, Dick, Durham, Edwards, Eller, Foster of Ashe, Gilmer, Gorrell, Graham, Hamlin, Headcn, Holden, Holmes, Houston, Jones of Caldwell, Jones of Rowan, Joyce, Leak of Anson, Lindsay, Long, Mann, Manning, McDowell of Madison, McDuffie, McNeill of Cumberland, McNeill of Harnett, Mebane, Merritt, Miller, Mitchell, Moseley, Myers, Osborne, Pettigrew, Rhodes, Royster, Ruffin, Sanders, Shipp, Smith of Halifax, Smith of Macon, Speed, Spruill of Bertie, Strange, Sutherland, Thomas of Carteret, Thompson, Thornton, Washington, Wilson, Woodfin and Wooten—64.

NOES—Messrs. Green, Rayner and Starbuck—3.

Mr. Smith, of Macon, from the committee on Enrollments, reported as correctly enrolled,

An ordinance to repeal the 9th section of an act of the last General Assembly in relation to the Cheraw and Coalfields railroad ;

The ordinance to enable the Western Railroad Company to complete their road ;

The ordinance to legalize the laying of taxes in Union county ;

An ordinance for the relief of those who suffered by the burning of the Court House in Hertford county ;

An ordinance in relation to electors for the Senate ;

Which were severally ratified in due form.

The President laid before the Convention a report of the Board of Claims, which, on motion of Mr. Mebane, was referred to the committee on that subject.

Mr. Thompson moved that the Convention do now adjourn to 9 o'clock on Monday morning, on which the ayes and noes were ordered, on motion of Mr. Strange, and resulted in the negative as follows:

AYES—Messrs. Badger, Battle of Edgecombe, Battle of Wake, Berry, Bunting, Cannon, Eller, Graham, Green, Hamlin, Holden, Houston, Jones of Rowan, Mann, Moseley, Osborne, Rayner, Rhodes, Ruffin, Sanders, Setzer, Shipp, Thompson and Thornton—24.

NOES—Messrs. Allison, Bagley, Barnes, Batchelor, Bryson, Christian, Dick, Dickson, Durham, Foster of Ashe, Foster of Randolph, Gorrell, Headen, Holmes, Joyce, Leak of Anson, Lindsay, Long, Manning, McNeill of Cumberland, Mebane, Merritt, Michal, Miller, Mitchell, Pettigrew, Royster, Smith of Halifax, Smith of Macon, Speed, Spruill of Bertie, Starbuck, Strange, Thomas of Carteret, Washington, Wilson and Wooten—34.

The hour having arrived, the Convention took a recess until 4 o'clock.

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4 O'CLOCK, P. M.

Mr. Setzer moved a call of the House, which being ordered, the roll was called and the following gentlemen answered to their names:

Messrs. Allison, Bagley, Barnes, Batchelor, Battle of Edgecombe, Battle of Wake, Bryson, Bunting, Caldwell, Dickson, Durham, Edwards, Eller, Foster of Ashe, Foster of Randolph, Gilmer, Hamlin, Headen, Holden, Holmes, Joyce, Lindsay, Long, Mann, Manning, McDowell of Burke, McDowell of Madison, McDuffie, McNeill of Cumberland, Mebane, Miller, Mitchell, Moseley, Penland, Pettigrew, Rayner, Rhodes, Royster, Ruffin, Setzer, Smith of Halifax, Smith of Macon, Speed, Spruill of

Bertie, Starbuck, Strange, Sutherland, Thomas of Carteret, Thompson, Thornton, Washington, Wilson, Woodfin and Wooten—54.

On motion, Messrs. Cunningham and Donnell were excused.

Mr. Caldwell moved an adjournment, and it was not agreed to.

On motion, Mr. Thomas, of Jackson, was excused.

Mr. Battle, of Wake, moved an adjournment until Monday morning 9 o'clock, and the motion prevailed.

The Convention then adjourned.

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### IN CONVENTION, MONDAY, May 12, 1862.

The President called the Convention to order. Prayer by Rev. Henry Hardie, of the Presbyterian Church.

The journal of Saturday was read and approved.

Mr. Mebane, from the committee on that subject, reported an ordinance for the payment of certain claims allowed by the Board of Claims, which passed the first reading.

On his motion the rules were suspended, the ordinance read the second and third times, passed, and ordered to be enrolled.

Mr. Battle, of Wake, introduced an ordinance requiring the Public Treasurer to redeem mutilated Treasury notes, which passed the several readings, under a suspension of the rules, and was ordered to be enrolled.

Mr. Osborne offered a resolution to rescind the order for adjournment, and moved to suspend the rules so as to act on the same at this time. On this question the ayes and noes were ordered; on motion of Mr. Moseley, and resulted in the negative—two-thirds not voting in the affirmative—as follows:

AYES—Messrs. Allison, Battle of Edgecombe, Battle of Wake, Berry, Bryson, Christian, Dick, Donnell, Eller, Foster of Randolph, Gilmer, Graham, Hamlin, Headen, Jones of Caldwell, Joyce, Long, Manning, Meares, Mebane, Miller, Mitchell, Osborne, Pettigrew, Phifer, Rhodes, Ruffin, Sanders, Shipp, Smith of Macon, Speed, Spruill of Bertie, Starbuck, Thomas of Carteret, Washington and Wilson—36.

NOES—Messrs. Bagley, Barnes, Batchelor, Bunting, Caldwell, Cannon, Cunningham, Dickson, Durham, Foster of Ashe, Gorrell, Green, Holden, Holmes, Houston, Leak of Anson, Lyon, Mann, McDowell of Burke, McDuffie, McNeill of Cumberland, McNeill of Harnett, Michal, Moseley, Penland, Rayner, Schenck, Setzer, Smith of Halifax, Strange, Thornton, Williams and Woodfin—32.

On motion of Mr. Barnes, the Convention proceeded to the consideration of the ordinance to pay bounty to soldiers.

Mr. Rayner moved to amend as follows: That the volunteers over thirty-five years of age, who have received the bounty of fifty dollars, may, at their option, avail themselves of the privilege offered by the conscription law of the Confederate Congress, and have their discharge, on condition that they return the fifty dollars bounty they have received; and all those who are over thirty-five years old and have not received the fifty dollars bounty, may receive the same on condition that they agree that they will not avail themselves of the privilege allowed them by said conscript law; and all of the two foregoing classes of volunteers, those who have received their bounty and shall not elect to return the same and continue in service, and those who not having received the bounty shall elect to receive the same on condition that they agree to remain in the service for three years or the war, shall be enrolled by the State authorities into a special corps, and placed under the command of Gen. James Martin, to be by him organized into companies, regiments, brigades and divisions, and when so organized, they shall be tendered to the President of the Confederate States, upon the condition and request that they be retained within the limits of this State, for the defense of the State, as a component part of the Confederate States, against invasion and inroads of the enemy.

The amendment was not agreed to.

Mr. Mitchell moved to amend by striking out all between the words "to," in the 16th line, to "1862," inclusive, which was not agreed to.

The ordinance then passed the third reading and was ordered to be enrolled.

Mr. Mitchell introduced a resolution authorizing the Governor to tender certain troops to the Confederate States, and to make arrangements concerning the same, which passed its first reading.

Mr. Rayner asked to be discharged from serving on the committee of Finance, and the request was granted. Mr. Mebane was appointed in his place.

Mr. Mitchell moved to suspend the rules so as to consider the resolution just introduced by him, on which question the ayes and noes were ordered, on motion of Mr. Graham, and resulted in the affirmative, as follows:

AYES—Messrs. Allison, Badger, Bagley, Barnes, Batchelor, Battle of Wake, Berry, Bogle, Bryson, Cannon, Christian, Cunningham, Donnell, Foster of Ashe, Gilmer, Gorrell, Graham, Green, Hamlin, Headen, Holden, Jones of Caldwell, Joyce, Leak of Anson, Long, Mann, Manning, McDuffie, Meares, Michal, Miller, Mitchell, Pettigrew, Phifer, Rayner, Rhodes, Ruffin, Shipp, Smith of Halifax, Speed, Starbuck, Thomas of Carteret, Washington and Wilson—44.

NOES—Messrs. Battle of Edgecombe, Bunting, Caldwell, Dickson, Durham, Holmes, Lyon, McDowell of Madison, McNeill of Cumberland, McNeill of Halifax, Moseley, Osborne, Penland, Schenek, Setzer, Smith of Macon, Strange, Thornton, Williams and Woodfin—20.

Mr. McDuffie moved to amend as follows: Provided that all volunteers who have not been transferred to the Confederate States, and who have not received their bounty, and refuse to take the same, or having received, shall elect to return it, and who are over thirty-five years of age, shall be discharged immediately; and the amendment was agreed to.

On motion of Mr. Graham, the resolution was referred to the Military Committee.

Mr. Battle, of Wake, moved to reconsider the vote by which the ordinance to pay certain claims allowed by the Board of Claims, was passed; and the motion prevailed. He then moved to amend by inserting two other claims more recently reported by the Board, which amendment was agreed to, and as thus

amended, the ordinance passed the third reading and was ordered to be enrolled.

Mr. Ruffin offered a resolution providing for the publication in the newspapers of the ordinances and resolutions of the Convention, which was agreed to, under a suspension of the rules.

Mr. Speed introduced an ordinance to repeal certain ordinances amending the Constitution, but the hour for the introduction of ordinances having passed, objection was raised and the ordinance was withdrawn.

Mr. Battle, of Wake, from the committee on Enrollments, reported as correctly enrolled,

An ordinance directing the Public Treasurer to redeem mutilated Treasury notes, and the same was duly ratified.

Mr. Badger, by consent, offered a resolution in favor of the Doorkeepers, which was adopted, under a suspension of the rules.

The orders of the day were now called for, when Mr. Battle, of Wake, moved to postpone the same in order to take up the ordinance to provide for the office of Lieutenant Governor, on which the ayes and noes were ordered, on motion of Mr. Gorrell, and resulted in the affirmative, as follows:

AYES—Messrs. Badger, Bagley, Batchelor, Battle of Edgecombe, Battle of Wake, Bunting, Christian, Cunningham, Dick, Dickson, Donnell, Durham, Gilmer, Green, Holden, Holmes, Joyce, Lyon, McDowell of Burke, McDowell of Madison, McDuffie, McNeill of Cumberland, McNeill of Harnett, Meares, Michal, Miller, Moseley, Penland, Phifer, Rayner, Rhodes, Schenck, Setzer, Smith of Halifax, Strange, Thornton and Williams—37.

NOES—Messrs. Allison, Berry, Bogle, Bryson, Cannon, Eller, Foster of Ashe, Foster of Randolph, Gorrell, Graham, Hamlin, Jones of Caldwell, Leak of Anson, Long, Mann, Manning, Mebane, Mitchell, Pettigrew, Ruffin, Sanders, Smith of Macon, Speed, Starbuck, Thomas of Carteret, and Wilson—26.

The ordinance was then read the third time.

Mr. Battle, of Wake, then moved to amend as follows: When the Governor or Lieutenant Governor shall be on trial, the Chief Justice shall preside, which was agreed to.



Mr. Speed moved to amend by providing that before the ordinance shall take effect it shall be approved by the people at the ballot box.

Mr. Barnes moved to amend the amendment by providing that the ordinance shall have effect only for the next election, unless approved by the people at ballot box; which was not agreed to.

The question was then on the amendment of Mr. Speed, on which the ayes and noes were ordered, and resulted in the affirmative, as follows:

AYES—Messrs. Barnes, Batchelor, Battle of Wake, Berry, Bogle, Bryson, Cannon, Christian, Dick, Donnell, Eller, Foster of Randolph, Gilmer, Gorrell, Graham, Headen, Holden, Houston, Joyce, Leak of Anson, Long, Mann, Manning, McDowell of Madison, Mebane, Miller, Osborne, Sanders, Shipp, Smith of Macon, Speed, Starbuck, Thomas of Carteret, Wilson and Woodfin—35.

AYES—Messrs. Allison, Badger, Bagley, Battle of Edgecombe, Bunting, Cunningham, Dickson, Durham, Edwards, Foster of Ashe, Green, Hamlin, Holmes, Jones of Caldwell, Lyon, McDowell of Burke, McDuffie, McNeill of Cumberland, McNeill of Harnett, Meares, Michal, Moseley, Penland, Pettigrew, Rhodes, Ruffin, Schenck, Setzer, Smith of Halifax, Strange, Thornton, Washington and Williams—33.

Mr. Badger moved that the ordinance lie on the table, on which the ayes and noes were ordered, on motion of Mr. Green, and resulted in the affirmative, as follows:

AYES—Messrs. Allison, Badger, Bagley, Battle of Edgecombe, Berry, Bunting, Cunningham, Dick, Durham, Edwards, Eller, Foster of Ashe, Gorrell, Graham, Green, Hamlin, Headen, Holmes, Houston, Leak of Anson, Long, Lyon, Manning, McDowell of Burke, McDowell of Madison, McDuffie, McNeill of Cumberland, McNeill of Harnett, Mebane, Michal, Miller, Mithell, Osborne, Penland, Pettigrew, Phifer, Rhodes, Ruffin, Schenck, Setzer, Shipp, Smith of Macon, Speed, Thomas of Carteret, Thornton, Washington, Williams, Wilson and Woodfin—49.

NOES—Messrs. Barnes, Batchelor, Battle of Wake, Bryson, Cannon, Christian, Dickson, Donnell, Foster of Randolph, Gilmer, Holden, Jones of Caldwell, Joyce, Mann, Meares, Moseley, Sanders, Smith of Halifax, Starbuck and Strange—20.

By general consent, the rule requiring a recess at 6½ o'clock, was rescinded for this day.

Mr. Smith, of Macon, from the committee on Enrollments, reported as correctly enrolled,

The resolution providing for the printing of the ordinances and resolutions of the Convention ;

The ordinance for the payment of certain claims allowed by the Board of Claims ; and

The ordinance to amend the ordinance relating to bounty, &c. ;  
And the same were severally ratified in due form.

Mr. Wilson moved to take up the ordinance providing for the election of Justices of the Peace by the people, on which question the ayes and noes were ordered, at his request, and resulted in the affirmative, as follows :

AYES—Messrs. Allison, Berry, Bryson, Cannon, Christian, Cunningham, Dick, Durham, Eller, Foster of Randolph, Gilmer, Gorrell, Graham, Hamlin, Holden, Joyce, Leak of Anson, Long, Lyon, Manning, McDuffie, McNeill of Cumberland, McNeill of Harnett, Meares, Mebane, Penland, Rhodes, Smith of Macon, Starbuck, Thomas of Carteret, and Wilson—32.

NOES—Messrs. Badger, Bagley, Batchelor, Battle of Wake, Bunting, Dickson, Edwards, Foster of Ashe, Headen, Jones of Caldwell, McDowell of Burke, McDowell of Madison, Michal, Mitchell, Moseley, Osborne, Pettigrew, Ruffin, Setzer, Smith of Halifax, Strange, Thornton and Woodfin—23.

The hour, arrived and the Convention took a recess until 4 o'clock.

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4 O'CLOCK, P. M.

Mr. Starbuck asked and obtained leave to change his vote on the motion of Mr. Graham to strike out the proviso in the ordi-

nance reported by Mr. Barnes, on the subject of bounty, &c., made on yesterday.

Mr. McDuffie, from the committee on the Fayetteville and Florence railroad ordinance, reported a substitute for the same, and recommended its passage.

The substitute was adopted, and the question being on the final passage of the ordinance, the ayes and noes were ordered, on motion of Mr. Batchelor, and resulted in the affirmative, as follows:

AYES—Messrs. Allison, Badger, Barnes, Berry, Bogle, Bryson, Caldwell, Cannon, Christian, Durham, Eller, Foster of Randolph, Gilmer, Gorrell, Graham, Hamlin, Headen, Holden, Jones of Caldwell, Leak of Anson, Long, Lyon, Mann, McDowell of Burke, McDowell of Madison, McDuffie, McNeill of Cumberland, McNeill of Harnett, Meares, Mebane, Mitchell, Pettigrew, Ruffin, Smith of Halifax, Smith of Macon, Speed and Starbuck—37.

NOES—Messrs. Bagley, Batchelor, Battle of Edgecombe, Battle of Wake, Cunningham, Dickson, Donnell, Edwards, Foster of Ashe, Green, Holmes, Houston, Moseley, Penland, Phifer, Rayner, Rhodes, Sanders, Schenck, Setzer, Strange, Thornton, Washington and Williams—24.

The ordinance was therefore ordered to be enrolled.

Mr. Gilmer, from the Committee on Finance, reported an ordinance to make further provision for the wants of the Treasury, which passed the first reading, and was read the second time, under a suspension of the rules.

Mr. Starbuck moved to amend that part of the ordinance which relates to the issue of small notes, by striking out "ten thousand," and inserting "five thousand," which was not agreed to.

Mr. Woodfin moved to amend by providing that ten thousand dollars in five cent notes, and the same amount in ten cent notes shall be issued, which was agreed to.

Mr. Mitchell moved to amend by providing that of the issues authorized, \$800,000 shall be of 5s; \$700,000 of 10s; and \$500,000 of 20s; which was agreed to.

The ordinance then passed the second and third readings, and was ordered to be enrolled.

Mr. Strange moved to take up the ordinance reported by him to authorize the Governor to fix the prices of articles of prime necessity, on which the ayes and noes were ordered, on motion of Mr. Myers, and resulted in the affirmative, as follows:

AYES—Messrs. Allison, Bagley, Batchelor, Battle of Edgecombe, Berry, Bunting, Caldwell, Christian, Cunningham, Dick, Dickson, Durham, Edwards, Gilmer, Holmes, Joyce, Leak of Anson, Lyon, McDowell of Burke, McDowell of Madison, McDuffie, McNeill of Cumberland, McNeill of Harnett, Meares, Moseley, Osborne, Penland, Pettigrew, Rhodes, Schenck, Smith of Halifax, Smith of Macon, Speed, Strange, Thornton, Washington and Woodfin—37.

NOES—Messrs. Badger, Barnes, Battle of Wake, Bogle, Bryson, Cannon, Donnell, Eller, Foster of Ashe, Foster of Randolph, Gorrell, Graham, Green, Hamlin, Headen, Holden, Houston, Jones of Caldwell, Long, Mann, Mebane, Mitchell, Phifer, Rayner, Ruffin, Sanders, Setzer, Starbuck and Thomas of Carteret—29.

Mr. Strange moved to strike out the 1st, 2nd, 3rd and 5th sections, and in lieu of the 5th to insert a section providing that the Governor shall seize, for the use of the State, all articles bought in its name, and setting forth the mode of assessing the value thereof.

Mr. Graham moved to lay the ordinance on the table, on which question the ayes and noes were ordered, on motion of Mr. Strange, and resulted in the affirmative, as follows:

AYES—Messrs. Allison, Badger, Bagley, Barnes, Batchelor, Battle of Wake, Berry, Bogle, Bryson, Cannon, Donnell, Eller, Foster of Ashe, Foster of Randolph, Gorrell, Graham, Green, Hamlin, Headen, Holden, Houston, Jones of Caldwell, Long, Mann, Mebane, Mitchell, Phifer, Rayner, Rhodes, Sanders, Setzer, Smith of Macon, Starbuck and Thomas of Carteret—35.

NOES—Messrs. Bunting, Caldwell, Christian, Cunningham, Dickson, Durham, Edwards, Holmes, Joyce, Leak of Anson, Lyon, McDowell of Burke, McDowell of Madison, McDuffie,

McNeill of Cumberland, McNeill of Harnett, Meares, Moseley, Osborne, Penland, Pettigrew, Ruffin, Schenck, Smith of Halifax, Speed, Strange, Thornton, Washington and Woodfin—29.

On motion of Mr. Donnell, the Convention took up the ordinance providing for the collection of taxes in certain counties. The same passed the second and third readings, and was ordered to be enrolled.

On motion of Mr. Rayner, the ordinance providing for the printing of the ordinances and resolutions of the Convention, was taken up.

Mr. Woodfin moved to strike out that part which requires the Secretary of State to advertise the same to the lowest bidder, which was agreed to. The resolution then passed the second and third readings, and was ordered to be enrolled.

Mr. Green moved to take up the ordinance allowing refugees to vote in elections for Governor, which was agreed to, and the ordinance passed the second and third readings, and was ordered to be enrolled.

Mr. Starbuck moved to take up the ordinance allowing corporate towns and cities to tax slave property, and it was agreed to. The ordinance was read the second time. Mr. McNeill, of Cumberland, offered an amendment, pending the consideration of which,

On motion of Mr. Badger, the ordinance was laid upon the table.

Mr. Ruffin moved to take up the ordinance to exempt members of the Society of Friends from military service, on which the ayes and noes were ordered, on motion of Mr. Meares, and resulted in the affirmative, as follows :

**AYES**—Messrs. Badger, Bagley, Barnes, Batchelor, Battle of Edgecombe, Battle of Wake, Berry, Bogle, Bunting, Cannon, Christian, Dick, Dickson, Donnell, Foster of Randolph, Gilmer, Gorrell, Graham, Hamlin, Headen, Houston, Long, Mann, McNeill of Harnett, Meares, Mebane, Osborne, Pettigrew, Rayner, Rhodes, Ruffin, Speed, Starbuck, Thomas of Carteret, Washington and Woodfin—36.

**NOES**—Messrs. Allison, Bryson, Caldwell, Cunningham, Durham, Edwards, Eller, Foster of Ashe, Green, Jones of Caldwell, Joyce, Lyon, McDowell of Burke, McDowell of Madison, McDuffie, McNeill of Cumberland, Moseley, Penland, Sanders, Schenck, Setzer, Smith of Halifax, Smith of Macon, Strange and Thornton—25.

Mr. Schenck moved to adjourn, on which the ayes and noes were ordered, at his request, and resulted in the negative, as follows:

**AYES**—Messrs. Bunting, Caldwell, Cunningham, Edwards, Joyce, Lyon, McDowell of Burke, McDuffie, Penland, Sanders, Setzer, Smith of Halifax, Strange and Thornton—14.

**NOES**—Messrs. Allison, Badger, Bagley, Barnes, Batchelor, Battle of Edgecombe, Battle of Wake, Berry, Bogle, Bryson, Cannon, Christian, Dick, Dickson, Donnell, Durham, Eller, Foster of Ashe, Foster of Randolph, Gilmer, Gorrell, Graham, Green, Hamlin, Headen, Jones of Caldwell, Long, Mann, McNeill of Harnett, Mebane, Osborne, Pettigrew, Rhodes, Ruffin, Smith of Macon, Speed, Starbuck, Thomas of Carteret, Washington and Woodfin—40.

Mr. Meares moved that it lie on the table, on which the ayes and noes were ordered, at his request, and resulted in the negative, as follows:

**AYES**—Messrs. Bryson, Bunting, Caldwell, Cunningham, Durham, Foster of Ashe, Joyce, Lyon, McDowell of Burke, McDowell of Madison, McDuffie, McNeill of Cumberland, Meares, Moseley, Sanders, Setzer, Strange and Thornton—18.

**NOES**—Messrs. Allison, Badger, Bagley, Barnes, Batchelor, Battle of Edgecombe, Battle of Wake, Bogle, Cannon, Christian, Dick, Dickson, Donnell, Eller, Foster of Randolph, Gilmer, Gorrell, Graham, Hamlin, Headen, Houston, Jones of Caldwell, Long, Mann, McNeill of Harnett, Mebane, Osborne, Pettigrew, Phifer, Rayner, Rhodes, Ruffin, Smith of Macon, Speed, Starbuck, Thomas of Carteret, Washington and Woodfin—38.

No quorum voting.

Mr. Badger moved to adjourn, on which the ayes and noes were ordered, and resulted in the negative, as follows:

AYES—Messrs. Badger, Caldwell, Cunningham, Durham, Edwards, Hamlin, McDowell of Burke, McDuffie, Meares, Moseley, Phifer, Sanders, Setzer, Strange and Thornton—15.

NOES—Messrs. Allison, Bagley, Barnes, Batchelor, Battle of Edgecombe, Battle of Wake, Berry, Bogle, Bunting, Cannon, Christian, Dick, Dickson, Donnell, Eller, Foster of Randolph, Gilmer, Gorrell, Graham, Green, Headen, Houston, Jones of Caldwell, Joyce, Long, Mann, McDowell of Madison, McNeill of Cumberland, McNeill of Harnett, Mebane, Osborne, Pettigrew, Rhodes, Ruffin, Schenck, Smith of Halifax, Smith of Macon, Speed, Starbuck, Thomas of Carteret, Washington and Woodfin—42.

The ordinance under consideration then passed the third reading, and was ordered to be enrolled.

The committee on Enrollments reported the following as correctly enrolled, and the same were duly ratified :

The ordinance to incorporate the Fayetteville and Florence Railroad Company ;

The ordinance to provide for the collection of taxes ;

The ordinance to allow refugees to vote in the election of Governor ; and

The ordinance to provide for the publication and distribution of the ordinances and resolutions of the Convention.

On motion of Mr. Woodfin, the ordinance to allow further time to make their returns was taken up, and the vote being taken, it was not agreed to.

The committee on Enrollments reported as correctly enrolled,

The ordinance exempting members of the Society of Friends from military service ;

And the same was duly ratified.

Mr. Graham moved to take up the ordinance to provide for a Convention to amend the Constitution, on which the ayes and noes were ordered, on motion of Mr. Rayner, and, not a quorum not voting, resulted in the negative, as follows :

AYES—Messrs. Allison, Berry, Bogle, Bryson, Christian, Dick, Eller, Foster of Ashe, Gilmer, Gorrell, Graham, Hamlin, Headen, Jones of Caldwell, Joyce, Long, Mebane, Mitchell,

Osborne, Ruffin, Smith of Macon, Speed, Starbuck and Woodfin—24.

NOES—Messrs. Bagley, Barnes, Batchelor, Battle of Edgecombe, Battle of Wake, Bunting, Caldwell, Cannon, Cunningham, Dickson, Durham, Edwards, Foster of Randolph, Green, Holmes, Lyon, McDowell of Burke, McDowell of Madison, McDuffie, McNeill of Cumberland, McNeill of Harnett, Moseley, Pettigrew, Phifer, Rayner, Rhodes, Schenck, Setzer, Smith of Halifax, Thornton and Washington—31.

Then, on motion of Mr. Lyon, the Convention adjourned.

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IN CONVENTION, TUESDAY, May 13, 1862.

The President called the Convention to order.

The journal of yesterday was read and approved.

Mr. Rayner moved to take up the ordinance declaring what ordinances of the Convention shall have permanent operation, and it was agreed to.

The ordinance was then read the second time.

Mr. McDuffie moved to amend as follows: Provided that so much of the ordinance relating to the electors of the Senate, as requires a residence in the district six months prior to the day of election, shall not have effect until ratified by a majority of the qualified voters of the State, and it was not agreed to.

The ordinance then passed the second and third readings, and was ordered to be enrolled.

Mr. Woodfin, from the Military Committee, reported back the resolution in relation to the conscript law, recommending that it do not pass. The report lies over under the rules.

Mr. Barnes introduced the following resolution, which was unanimously adopted, (Mr. Mebane in the chair.)

*Resolved*, That the thanks of this Convention be and they are hereby tendered to the Honorable Weldon N. Edwards for the able, dignified and impartial manner in which he has presided over its deliberations during the present session."

Mr. Holden introduced the following, which passed unanimously:



"*Resolved, unanimously, by this Convention, That the thanks of the people of North Carolina are due and are hereby tendered to the ladies of the State for the contributions which they have made to the Confederate cause, and for the patriotic ardor which they have exhibited in behalf of the country in the prosecution of war.*"

On motion of Mr. Rayner, the doors were closed and the Convention sat in secret session.

After some time spent therein, the doors were again opened.

Mr. Battle, of Wake, from the committee on Enrollments, reported as correctly enrolled.

The ordinance declaring what ordinances of the Convention shall have permanent operation:

And the same was duly ratified.

Mr. Graham moved that the Convention do now adjourn, and the motion prevailed.

The President then arose and in a short and affecting address thanked the Convention for the courtesy extended to him in the position to which they had called him, took leave of them as a body, and declared the Convention adjourned, according to its order, adopted some days since.

WELDON N. EDWARDS,

President of the Convention.

WALTER L. STEELE, Principal Secretary,

L. C. EDWARDS, Assistant Secretary.

[NOTE.—The time having expired within which, by its own order, the Convention should be re-assembled, and not having been called together according to the provisions of that order, it stands adjourned *sine die*.  
SECRETARY.]

The first of these is the fact that the  
University of Chicago has been  
founded in the year 1837, and  
has since that time been a  
leading institution of higher  
learning in the United States.

The second of these is the fact that  
the University of Chicago has  
been a member of the Association  
of American Universities since  
1896, and has since that time  
been a leading institution of  
higher learning in the United States.

The third of these is the fact that  
the University of Chicago has  
been a member of the Association  
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The fourth of these is the fact that  
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The fifth of these is the fact that  
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been a member of the Association  
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The sixth of these is the fact that  
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higher learning in the United States.

The seventh of these is the fact that  
the University of Chicago has  
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higher learning in the United States.

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